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REPORT ON THE ADMINISTRATION

OF

Civil Justice in Oudh,

DURING THE YEAR ENDING 31ST DECEMBER 1890.

ALLAHABAD:
NORTH-WESTERN PROVINCES AND OUDH GOVERNMENT PRESS.
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REPORT

ON THE

ADMINISTRATION OF CIVIL JUSTICE IN OUDH,

during the year ending 31st December 1890.

BENGAL SECRETARIAT LIBRARY.

No. 2185 of 1891.

FROM

W. R. BURKITT, Esq., C.S.,
ADDITIONAL JUDICIAL COMMISSIONER, OUDH,

To

THE SECRETARY TO GOVERNMENT,
N.-W. PROVINCES AND OUDH, JUDICIAL (CIVIL) DEPT,
ALLAHABAD.

Dated Lucknow, the 7th November 1891.

SIR,

I HAVE the honour to submit the report, together with the prescribed returns, relating to the administration of Civil Justice in Oudh during the year ending the 31st December 1890. The original reports of Commissioners, Deputy Commissioners, District Judges and Judges of Small Cause Courts are also submitted herewith.

2. The delay in the submission of this report is due to this office establishment not being strong enough to meet the demands made upon it, besides which the redistribution of the Judgeships in April last led to some confusion in the submission of statistical returns to this office. Many of the returns had to be sent back for alteration, and the last corrected one was received as late as the 8th October. I desire to add that I have been obliged to undertake the preparation of this report very hurriedly and, I may say, at a moment's notice. In his memo. of the 5th instant, written on receipt of your letter No. $\frac{855}{\text{VII}-428\text{B}.}$ of the 4th instant, the Judicial Commissioner wrote as follows:—"I am too much occupied with other work (judicial) "necessary to be done before I vacate my seat in this Court, and I think it will be much "better accordingly for Mr. Burkitt to write this report, the more so as he is to be "my immediate successor. The explanation of the unusual delay this year has been "already indicated in the Criminal Report, and I need only repeat here that I can most "truthfully exonerate this office from any laxity or want of diligence in the matter. "The work of this Court is now so great that additional help is absolutely necessary if "business is not to come to a standstill, and I think my assurance to Government "in this matter will carry the weight it merits." From my own experience in this Court I can most fully corroborate Mr. Young's remarks as to the absolute necessity of a considerable increase in the Registrar's establishment. It is simply out of the question to expect that the office at its present strength can produce either the quantity or the quality of work required from it.

3. The amount of net stamp fees realized in 1890, *viz.*, Rs. 5,20,970, shows a falling off of Rs. 12,939, as compared with the figures for 1889. The details for each year are as follows:—

Income and expenditure. Returns G. and H.

Judgeship.	1889. Rs.	1890. Rs.	Difference. Rs.
Lucknow	1,69,896	1,67,494	—2,402
Sitapur	1,02,831	99,245	—3,584
Fyzabad	1,42,204	1,06,392	—35,812
Rae Bareli	85,370	1,02,533	+17,163
Judicial Commissioner's Court ...	33,608	45,306	+11,698

Enquiries have been made as to the cause of the great decrease (about 25 per cent.) at Fyzabad and of the great increase (about 20 per cent.) at Rae Bareli.

4. A comparative statement of the income and expenditure of Civil Courts during 1889 and 1890 is here given :—

Income.	1889. Rs.	1890. Rs.	Difference. Rs.
Net value of stamps	5,33,909	5,20,970	
Duty and penalty on instruments ...	2,679	3,408	
Fines...	569	571	
Process fees	1,04,900	1,06,156	
Judicial record fund	42,069	41,206	
Total ...	6,84,126	6,72,311	—11,815
Expenditure.			
Salaries of officers and establishments ...	3,88,654	4,41,170	
Process serving establishment ...	63,064	67,847	
Judicial record fund	20,401	20,616	
Total ...	4,72,119	5,29,633	+57,514
Surplus ...	2,12,007	1,42,678	—69,329

The result of the above is that while the income of the year under report was a trifle (not quite 2 per cent.) less than that of the preceding year, the expenditure increased by about 12 per cent. That increase is chiefly under the head "Salaries of officers and establishment" and is due to the appointment of an Additional Judicial Commissioner at Lucknow, of an Additional Judge at Fyzabad and to arrears of pay and of leave allowances of the previous year drawn during the year under report by three officers.

5. After meeting all expenditure process fees yielded a profit to Government of Rs. 38,309, and in like manner copying fees show a profit of Rs. 20,590.

ORDINARY CIVIL COURTS.

6. During 1890 the number of suits instituted in ordinary Civil Courts, other than Small Cause Courts, aggregated 35,045, being fewer by 3,058 than in 1889. The number of institutions in Small Cause Courts was larger by 183, being 25,058 as against 24,875 in 1889. The figures for both years are—

IMPERIAL RETURN No. VII.

Suits instituted (ordinary Civil Courts, *i.e.*, exclusive of Small Cause Courts and Rent Courts).

	1889.	1890.
Ordinary Civil Courts	38,103	35,045
Small Cause Courts	24,875	25,058
Total ...	62,978	60,103

As compared with the figures for 1889, the amount of litigation in 1890 was less by 2,875 suits.

7. Notwithstanding fewer suits being instituted in 1890 than in 1889, the value of the subject-matter of ordinary civil suits filed in the first named year was Rs. 1,07,15,452, or Rs. 29,49,828 more than the value of suits instituted in 1889. The increase was distributed thus :—

IMPERIAL RETURN No. VIII.

Value of subject-matter of suits (ordinary Civil Courts).

		Rs.
Rae Bareli Judgeship	... ...	21,19,583
Fyzabad " ...	... ...	6,33,350
Sitapur " ...	... ...	3,38,109

whilst the Lucknow Judgeship shows a decrease of Rs. 1,41,214.

In the Courts of District Judges (by whom alone all suits above Rs. 10,000 were heard) the figures were—

	1889. Rs.	1890. Rs.	Difference. Rs.
Rae Bareli	3,92,030	24,48,911	+ 20,56,881
Fyzabad	15,62,543	25,83,197	+ 10,20,654
Sitapur	2,29,563	6,25,582	+ 4,90,291
Lucknow	9,98,370	8,87,643	— 1,10,727

The large increase in the value of the subject-matter is due to the fact that 16 suits valued at more than Rs. 10,000 each were instituted during 1890 in excess of the number filed in 1889.

8. In 1890 there were 84 suits valued at Rs. 10,000 and 137 suits valued at sums exceeding that amount, whilst in 1889 suits valued at Rs. 10,000 numbered 108, and there were 121 suits valued above that sum. The average value of each ordinary suit was Rs. 305-12-2 in 1890, as against Rs. 206-0-2 in 1889.

Description of suits (ordinary Civil Courts).

9. As compared with the figures for 1889, one out of the 10 more numerous kinds of suits, detailed below, shows a trifling increase in 1890, but institutions under the other nine heads were fewer in 1890 than during the previous year :—

	1889.	1890.	Difference.
Goods sold	1,789	1,807	+ 18
Immovable property	6,417	5,300	—1,117
On account stated	2,584	2,129	— 455
Contract not in writing	5,565	5,179	— 386
Movable property	2,103	1,769	— 334
Damages	1,516	1,321	— 195
Other suits for money	1,160	1,021	— 139
For enforcement of matrimonial rights	298	189	— 109
Contract in writing	13,519	13,438	— 81
Money had and received	440	366	— 74

The most marked decrease is 1,117 suits for "Immovable property," which in 1889 showed an increase of 280 suits. The falling off under the heads "On account stated," 445, "Contract not in writing," 386, and "Movable property," 334, is no doubt accidental, as those headings show an increase of 300,241 and 247 respectively in Small Cause Courts.

The District Judge of Sitapur attributes the falling off in institutions to "the "epidemic which was prevailing in Kheri and Sitapur districts in the latter part of the "year under report," whilst the District Judge of Rae Bareli writes : "The decrease is, "I believe, accidental or may be attributed in all probability to the high prices of grain "and the scantiness of the crops."

Courts in which suits were instituted.

10. A comparative statement of the number of suits filed in ordinary Civil Courts during the past three years is given below :—

	1888.	1889.	1890.
Honorary Assistant Commissioners	3,474	3,151	2,744
Sub-Judges and Munsifs	35,945	34,811	32,161
District Judges	116	141	140

The decrease in the number of suits filed in the Courts of Honorary Assistant Commissioners was 31·65 per cent. in Lucknow, 25·21 per cent. in Rae Bareli, 12·53 per cent. in Sitapur and 4·84 per cent. in Fyzabad Judgeship.

Fewer suits by 2,377 were instituted in the Courts of Munsifs during 1890 than in the previous year, and there was a like decrease of 273 suits in the Courts of Sub-Judges. In the Sitapur Judgeship, however, there was an increase of 223 suits filed in Munsifs' Courts, and of 235 suits filed in Sub-Judges' Courts as compared with the figures for 1889.

The District Judges have not made any attempt to explain the above noted fluctuations.

IMPERIAL RETURN No. IX, PART I.

Mode of disposal (ordinary Civil Courts).

11. During 1890 ordinary Civil Courts disposed of 36,794 suits, being 2,934 less than in 1889. At the close of 1890 there were 5,692 suits pending, being 13·3 per cent. of the total for disposal as against 13·8 per cent. at the close of 1889. A comparative statement showing the disposal of suits in each of the years is given below :—

	1889.	1890.	Difference.
Disposed of without trial.			
Plaints rejected or returned	865	763	— 102
Dismissed for default	6,326	5,677	— 649
Withdrawn with leave	1,046	1,022	— 24
Disposed of without contest.			
Compromised	5,791	5,261	— 530
Decreed on confession	4,208	4,289	+ 81
Decreased *ex parte*	4,329	4,385	+ 56
Dismissed	847	825	— 22
On reference to arbitration.			
For plaintiff	171	135	— 36
„ defendant	58	38	— 20
Disposed of with contest.			
Judgment for plaintiff	10,546	9,518	— 1,028
„ „ defendant	5,541	4,883	— 658
Pending	6,399	5,692	— 707

The percentage of suits dismissed for default to the total number disposed of was 15·4, being almost the same as in 1889, when it was 15·9.

12. The District Judge, Lucknow, writes : " As there were only 74 re-institutions " allowed under section 99, Civil Procedure Code, I consider that a large number of " cases decided without contest is proof that suitors have not full confidence in the " Judge. No doubt many petty cases are settled out of court, but people do not go " to the expense of filing a suit as a rule without the intention of going to trial."

I am not inclined to concur in the opinion expressed in the above extract, especially as Colonel Newbery adds in respect of four of the Subordinate Courts that on examining the work of the officers presiding in them he could detect no irregularities, and on the whole I am more inclined to accept the opinion of the District Judge of Fyzabad, who writes : " 22 per cent. of suits were dismissed by default and " *ex parte*. About half of the suits so dismissed were Small Cause Court suits, and " the other half ordinary suits, mostly in the Munsifs' Courts. Such a percentage " does not appear to me to be very high, as it is evident that the suits so dismissed " were of insignificant value and as such liable to be settled out of Court, as pointed " out by Mr. Evans last year."

Pending suits.

13. The number of suits pending at the close of the years 1889 and 1890 were—

	1889.	1890.
Ordinary	6,399	5,692
Small Cause Courts	2,249	2,930
Total ...	8,648	8,622

The District Judge of Lucknow has given a very full and satisfactory explanation of the heavy arrears in his Court at the close of the year under report. As Additional Sessions Judge he had a large amount of criminal work to do, and some weeks were occupied by one civil suit, in which 400 documents were filed and 150 witnesses summoned.

The Sub-Judge of Bahraich had 486 ordinary suits pending at the close of 1890, as against 635 at the close of 1889, but his pending file of Small Cause Court suits rose from 422 in 1889 to 831 at the close of 1890, which shows that in clearing off the arrears on one side of his Court he was unable to keep pace with his other work. One of the Munsifs from Gonda has been transferred to Bahraich to help the Sub-Judge. The heaviest pending file in a Munsif's Court was in the Court of the Munsif, Lucknow Southern Division. In that Court, however, 942 ordinary and 631 Small Cause Court suits were disposed of during the year under report.

Distribution of work (ordinary Civil Courts).

14. The number of suits dispose of by each class of Courts during the years 1889 and 1890 is given below :—

	Number of suits disposed of.		Percentage on total number disposed of by all Courts.	
	1889.	1890.	1889.	1890.
Honorary Assistant Commissioners ...	3,331	2,895	8·3	7·8
Munsifs	30,439	28,102	76 6	76 3
Sub-Judges	5,855	5,690	14 7	15·4
District Judges	103	107	0 25	0 29

Duration of suits (ordinary Civil Courts).

15. The average duration of suits in the different classes of Courts during the past two years was—

	Contested. Days.		*Uncontested.* Days.	
	1889.	1890.	1889.	1890.
Honorary Assistant Commissioners ...	85·69	45·82	54·05	49·19
Munsifs	77·62	67·15	38·25	35 96
Sub-Judges	129 99	139·93	74·99	79·59
District Judges	361·98	357·91	124·20	140·31

It will be seen that the average duration of suits, both contested and uncontested, in the Courts of Honorary Assistant Commissioners and of Munsifs was considerably lower in 1890 than in 1889, it having fallen in contested cases from 85·69 to 45·82 days in the Courts of Honorary Assistant Commissioners, and from 77·62 to 67·15 days in the Courts of Munsifs. On the other hand, the average duration of suits in Sub-Judges' Courts rose by 10 days in contested and by eight days in uncontested suits in 1890, as compared with the average duration in 1889. The District Judge, Fyzabad, remarks : " The large amount of work which the Sub-Judges of Bahraich and Fyzabad " had to contend with accounts for the increase in duration of original suits. The " number of cases instituted is increasing yearly, and the duration of cases will increase " in proportion."

The other District Judges do not refer to this subject.

In the Courts of District Judges there was a falling off of four days in the duration of contested suits, though there was an increase of 16 days in the duration of uncontested suits. The District Judge of Lucknow has given a very satisfactory explanation in para. 8 of his district report referred to above, and the District Judge, Fyzabad, writes : " As regards District Judge's Court, a large number of cases filed " by a Talúkdár in Gonda has been pending during the year, awaiting a decision in " appeal in a similar case which would govern the whole. The appealhas not yet been " heard by the Judicial Commissioner. The average duration has thus been materially " increased, though it is smaller than last year."

Adjournments (ordinary Civil Courts).

16. The District Judge, Rae Barcli, granted 36 adjournments in a single suit and the District Judge, Sitapur, granted 27 adjournments in another suit. No cause has been assigned in either case. As Subordinate Judge of Gonda, Saiyid Muhammad Ahmad granted 21 adjournments in a suit regarding which the District Judge of Fyzabad remarks: "The "Subordinate Judge of Gonda has been in the habit of granting adjournments on the "slightest provocation." The same Subordinate Judge, when Subordinate Judge at Sitapur, allowed 22 extensions of time in a suit which had been referred to arbitration.

IMPERIAL RETURN No. IX, PART 2.
Miscellaneous cases (ordinary Civil Courts).

17. In the year under report ordinary Civil Courts disposed of 7,758 miscellaneous cases, or 249 more than during the previous year. The mode of disposal was as follows:—5,091 cases were contested, and out of them 3,068 were decided in favour of plaintiff and 2,023 in favour of defendant; 1,676 cases were struck off, 259 were compromised, 230 were decreed on confession, while 494 were decreed or dismissed *ex parte*.

18. The average duration was—

	Contested. Days.		*Uncontested.* Days.	
	1889.	1890.	1889.	1890.
Honorary Assistant Commissioners ...	49·01	51·77	39·45	33·34
Munsifs	34·34	32·19	28 72	29·53
Subordinate Judges	38·63	35·89	29·53	30·12
District Judges...	96·73	111·21	50·25	49·87

The average duration of contested cases in the Courts of Munsifs and Subordinate Judges was lower in 1890 than in 1889, but higher in the Courts of District Judges.

IMPERIAL RETURN No. X, PART 1.
Appeals from decrees (ordinary Civil Courts).

19. Fewer appeals were instituted in the Courts of District Judges and Subordinate Judges during the year under report than in the previous year. The numbers were 3,165 and 3,655 respectively.

The number of appeals for hearing and the mode of their disposal during 1889 and 1890 are as follows: —

			Percentage on total number disposed of.	
	1889.	1890.	1889.	1890.
Total number of appeals for hearing ...	4,823	4,131	...	...
Rejected	113	151	2·89	5·05
Dismissed for default	162	118	4·15	3·95
Heard ex parte.				
Confirmed	86	32	2 76	1·57
Modified	5	2		
Reversed	8	13		
Remanded	9	1		
Contested.				
Confirmed	2,213	1,662	56·71	55·65
Modified	328	254	8·10	8·50
Reversed	619	527	15·86	17·64
Remanded	359	227	9·22	7·60
Pending	921	1,145	...	...

20. The number of appeals pending at the close of the year was 224 more than at the close of 1889. Out of the total number 897 were pending in the Courts of District Judges and 248 in Subordinate Judges' Courts.

21. The average duration of appeals was 103 days in 1890 as against 105 days in 1889. In District Judges' Courts the highest average was 212 days in Fyzabad.

The lowest average in Subordinate Judges' Courts was 42 days in Gonda, and the highest was 193 days in Partábgarh.

22. There were 1,133 first and second civil appeals for disposal in the Court of the Judicial Commissioner in 1890 as against 928 in 1889. The mode of disposal in each year is given below :—

Appeals to the Court of the Judicial Commissioner.

	1889.	1890.	Percentage on total for disposal. 1889.	1890.
Total number of appeals for hearing ...	928	1,133	...	...
Rejected	15	16	5·33	2·47
Dismissed for default	12	16	4·27	2·47
Heard ex parte.				
Confirmed	15	...	9·21	...
Modified	1	...		
Reversed	9	..		
Remanded	1	...		
Contested.				
Confirmed	151	385	53·70	59 50
Modified	22	39	7·82	6·02
Reversed	51	173	18·00	26·73
Remanded	4	18	1·42	2 78
Pending	647	486	...	...

The average duration of first Civil Appeals was 423 days in both years, 1889 and 1890 : in the case of second appeals it was 425 days in 1890.

23. In addition to appeals from decrees there were 178 Miscellaneous Civil Appeals before the Court of the Judicial Commissioner during 1890, and only 35 remained pending at the close of the year. The average duration was 225 days. Applications for revision under section 622, Civil Procedure Code, numbered 355, which were disposed of thus : decree was confirmed in 125 cases, modified in 7 cases, reversed in 26 cases and the proceedings were remanded in 6 cases. One hundred and forty-three applications were summarily rejected or dismissed, and 48 remained pending at the close of the year.

IMPERIAL RETURN No. X, PART II.

Miscellaneous Appeals (Judicial Commissioner's Court).

The average duration of each application was 148 days.

24. District Judges disposed of 244, and Subordinate Judges disposed of 61 Miscellaneous Civil Appeals, in all 305 appeals, of which 99 were rejected or dismissed, orders were confirmed in 96 cases, modified in 6 and reversed or proceedings remanded in 104 cases, leaving 92 cases pending at the close of the year. The average duration was 74 days.

Courts of District and Subordinate Judges.

25. During 1890 the Ordinary Civil Courts had before them for disposal 30,263 applications for execution of decree, being 113 more than in 1889.

IMPERIAL RETURN No. XI.

Execution of decrees (ordinary Civil Courts).

The results of such applications in the year under report and the previous year were as follows :—

	Applications. 1889.	1890.	Percentage to total number of applications. 1889.	1890.
Transferred to other Courts	674	666	2·23	2·20
Satisfied in full	9,705	8,890	32·18	29·37
„ part	4,014	4,180	13·31	13·81
Wholly infructuous	10,906	11,641	36·17	38·46
Pending	4,851	4,886	16·08	16·14

As compared with the revised figures of 1889, there was a slight falling off in the percentage of decrees fully or partially satisfied during 1890. There is but little difference in the percentage of wholly infructuous applications.

26. There were 40 applications for declaration of insolvency during 1890, which resulted in 13 being granted and 19 being transferred or rejected, so that 8 remained pending at the close of the year.

IMPERIAL RETURN No. XII. Insolvency (ordinary Civil Courts).

27. There was a falling off in the number of witnesses examined by ordinary Civil Courts in 1890 as compared with the figures for 1889, in which year 57,456 witnesses were examined as against 53,684 in 1890, the difference being 3,772. As in 1889, so in 1890, less than 3 per cent. of the witnesses examined were detained more than one day.

PROVINCIAL RETURN No. XV. Witness Statement (ordinary Civil Courts).

28. The Civil Courts other than Small Cause Courts proper realized Rs. 96,834 on account of process fees and expended Rs. 68,298, leaving a surplus of Rs. 28,536 in 1890, as against Rs. 31,338 in 1889.

PROVINCIAL RETURN No. XVI. Witness Statement (ordinary Civil Courts).

29. Exclusive of Small Cause Courts proper, the Civil Courts in 1890 realized Rs. 11,254 on account of Sale Commission Fund, of which amount Rs. 9,217 remained as surplus at the close of the year. It was Rs. 8,046 at the close of 1889.

PROVINCIAL RETURN No. XVIII. Sale Commission Fund (ordinary Civil Courts).

Records.

30. The work of weeding records is well in hand and calls for no remarks.

SMALL CAUSE COURTS.

31. The number of suits, 25,058, instituted in Small Cause Courts of all kinds during 1890 was 183 in excess of the number filed in 1889. The Lucknow City, Lucknow Cantonment and Fyzabad Cantonment Small Cause Courts show a decrease of 443 suits, whilst the Courts of Munsifs and Subordinate Judges on the Small Cause Court side show an increase of 260 suits filed in 1890 as compared with the figures for 1889.

IMPERIAL RETURN No. VII. Suits instituted (Small Cause Courts).

32. The increase or decrease in the different classes of suits filed in 1890 as compared with the figures for the previous year is as follows :—

On account stated	+300
Damages	+169
Contract in writing	+139
Rent not falling under the Rent Law	+51
Wages, work and material	+42
Money had and received	+11
Movable property	−247
Contract not in writing	−241
Goods sold	−35
Other suits for money or movables	−6

33. In 1890 the value of the subject-matter of suits filed in Small Cause Courts rose to Rs. 7,58,987 from Rs. 7,35,360 in 1889, the increase being Rs. 23,627.

IMPERIAL RETURN No. VIII. Value of suits instituted (Small Cause Courts).

34. The percentage of suits valued at more than Rs. 50 each was 12·5 in 1890 as against 11·8 in 1889, and the average value per suit rose from Rs. 29-2-5 in that year to Rs. 30-4-7 in 1890.

35. The value of the suits instituted in the Courts of Subordinate Judges and Munsifs on the Small Cause Court side was less by Rs. 3,114 in 1890 than in the previous year, but the Lucknow City Small Cause Court shows an increase of Rs. 21,330 in the value of suits filed in 1890 as compared with the figures for 1889.

IMPERIAL RETURN No. IX, PART 1. Mode of disposal (Small Cause Courts).

36. The number of suits, 27,567, before Small Cause Courts for disposal in 1890 was almost the same as in 1889.

37. The following statement shows by percentages the manner in which those suits were disposed of :—

	Percentages to total number of suits for disposal.		Difference.
	1889.	1890.	
Without trial	17·7	16 9	−0·8
Without contest.			
Compromised	15·4	12 8	−2·6
Decreed on confession...	17·8	17·0	−0 8
„ *ex parte*	13 8	13·9	+0·1
Dismissed „	1·7	1·6	−0·1
With contest.			
By arbitration	0·1	0·1	...
In favour of plaintiff	1·72	18 2	+1·0
„ defendant	7·7	8·5	+0·8
Pending	8·1	10·6	+2 5

The average duration in 1890 of contested suits was 41 days and of uncontested suits 36 days, as against 38 days and 37 days respectively in 1889.

38. During 1890 there were 1,656 miscellaneous cases for disposal before Small Cause Courts, being 170 more than in 1889. Of these, 904 cases, or 54 per cent., were contested, 526 being decided in favour of plaintiff and 378 in favour of defendant; 415 cases, or 24 per cent., were disposed of without trial, 149 cases, or 9 per cent., were disposed of without contest, and 188 cases, or 11 per cent., were pending at the close of the year.

IMPERIAL RETURN No. IX, PART 2. Miscellaneous cases (Small Cause Courts).

39. Small Cause Courts had before them 15,674 applications for execution of decrees in 1890, being 1,678 more than in 1889. The mode of disposal of these applications in each year is given below :—

IMPERIAL RETURN No. XI. Execution of decrees (Small Cause Courts).

	Applications.		Percentages to total number of applications.	
	1889.	1890.	1889.	1890.
By transfer	662	687	4·73	4·38
Satisfied in full	3,568	3,438	25·49	21·93
„ part	2,746	2,605	19·61	16·61
Wholly infructuous	5,989	7,450	42 79	47·53
Pending	1,031	1,494	7·36	9·53

	1889. Rs.	1890. Rs.	Difference. Rs.
Amount realized with issue of process ...	1,15,316	1,13,290	−2,026
„ without „ ...	18,280	18,259	+ 19

The amount realized shows a falling off of Rs. 2,007.

40. As compared with the figures for 1889 there was an increase of 566 in the number of witnesses examined in the Lucknow City, Lucknow Cantonment and Fyzabad Cantonment Small Cause Courts during 1890, when 3,686 witnesses were examined, of whom 3,641 were discharged the day they attended.

PROVINCIAL RETURN No. XV. Witness Statement (Small Cause Courts proper).

41. The abovementioned Small Cause Courts realized Rs. 6,478 and expended Rs. 6,196 on account of process fees in 1890.

PROVINCIAL RETURN No. XVI. Process fee Fund (Small Cause Courts proper).

The surplus amounted to Rs. 282 as against Rs. 61 in 1889.

42. The receipts on account of Sale Commission Fund during 1890 in Small Cause Courts amounted to Rs. 277. After defraying expenses there was a surplus of Rs. 135 as against Rs. 98 in 1889.

PROVINCIAL RETURN No. XVIII. Sale Commission Fund (Small Cause Courts proper).

RENT COURTS.

43. The number of suits, 32,176, filed in the Rent Courts during 1890 was 438 below the figures for 1889.

IMPERIAL RETURN No. VII. Suits instituted (Rent Courts).

44. The following statement shows the number of suits instituted in each district during 1889 and 1890 :—

	Institutions.		Percentage of increase or decrease in 1890.
	1889.	1890.	
Bahraich	1,891	2,642	+39·7
Sultánpur	3,918	4,349	+11·0
Gonda	3,929	4,180	+6·3
Rae Bareli	2,307	2,446	+6 0
Lucknow	1,892	1,956	+3·3
Partábgarh	2,981	3,004	+0·7
Bara Banki	2,672	2,689	+0·6
Kheri	846	641	−24 2
Hardoi	3,706	3,001	−19 0
Sitapur...	814	674	−17 2
Unao	3,471	3,035	−15·4
Fyzabad	4,187	3,559	−14·9

45. The returns by Divisions are as under :—

	1889.	1890.	Difference.
Fyzabad	10,007	10,381	+374
Rae Bareli	9,206	9,799	+593
Lucknow	8,035	7,680	−355
Sitapur	5,366	4,316	−1,050

Bahraich has more than three times the percentage of increase shown by any other district, and Kheri shows the greatest percentage of decrease.

Fluctuations in classes of suits.

46. The following statement shows the number of each class of suit instituted in the years 1889 and 1890 :—

	1889.	1890.	Difference.
Arrears of rent...	23,400	24,281	+881
Enhancement or abatement of rent	82	67	−15
Relating to distraint	297	323	+26
Damages for extortion, &c....	467	260	−207
For pattas or kabuliats	16	11	−11
„ ejectment or recovery of possession	3,622	2,837	−785
Recovery of money or accounts from agents ...	108	62	−46
All other suits not included in above	4,622	4,335	−287

47. In Bahraich there was an increase of 719 "suits for arrears of rent without pattas." The Deputy Commissioner writes as follows regarding the increase of litigation in his district :—

"Increase by tahsíls is as follows :—

Nánpára	393
Kaisarganj	209
Bahraich	149

"The increase in Nánpára is entirely due to the unusual friction between the "lessees and tenants of the Rája of Nánpára. Whilst the Rája was in the middle of "some arrangements he was making to convert cash into *batai* rents and *vice versâ*, "he let the villages out on lease. The lessees adhered to the *status quo ante* to the "disgust of those tenants who wanted conversion. They had the law on their side, "as the Rája's arrangements were never completed, but whole villages, taking the "Rája's intentions or promises as valid engagements, resisted paying cash rent as they "had hitherto done, whilst others objected to *batai*. Of 960 applications under section "15, Oudh Rent Act, 672 were in the Nánpára talúqa, and of 385 applications under "sections 31 and 32, Oudh Rent Act, 260, were in the same talúqa. The tenants "evinced a refractory temper, somewhat uncommon. They had evidently been encouraged to take up arms, but by whom I am unable to say. I asked the Rája to interpose, and I believe the disturbance has partially, if not completely, subsided. In "the Kapurthala talúqa there were 150 applications under section 15, and 67 under "sections 31 and 32, Oudh Rent Act.

"The destruction of the *kharíf* in some places, notably where Indian corn is the "staple crop (Kaisarganj tahsíl) and partial failure of the early rice by excessive rains "deprived the population of the means of paying their rents, and litigation should have "decreased. But whilst landlords, especially the owners of estates like Balrámpur "(a large portion of which is in this district), Kapurthala and Nánpára are ready to show "forbearance, the system of leasing villages instead of dealing direct with the cultiva- "tors allows lessees to exercise the coercive powers possessed by themselves under the "law; and lessees holding short leases have every incentive to take what they can get "without regard to the means and circumstances of the tenants. It is true that even "lessees can be to some extent restrained by the letter of their engagements, and I may "note that not a single application under sections 15, 31 and 32 came from Balrámpur: "here, however, (parganas Charda and Tulsipur, where the Balrámpur estates lies) the "principal crop is *jarhan*, and that was splendid.

"Except in the case of Nánpára mentioned above, the increase in suits and appli- "cations may be attributed to the system of leasing whole villages. Lessees cannot "afford to wait and postpone payments, if the tenant's crop is lost or not.

"Thus there was an increase of 54 per cent. in suits for rent and 45 per cent. "in miscellaneous cases.

"A poor harvest will inevitably enhance litigation if the rent-receiver will not "stay his hand, and that litigation will assume all the ramifications, and will follow all "the currents provided by the law,—coercion of every kind from a simple demand "for payment, to eviction under section 61, Oudh Rent Act. The final act of eviction, "however, will not be freely resorted to in a district where land awaits cultivation, or "there is a likelihood of the debtor paying up, if permitted to hold on. There will "always be men who will not pay, and whom the landlord is perfectly justified in turn- "ing out. That there were some such as these among the 169 as against 120 in the "preceding year and among the 201 as against 123 proceeded against under sections 60 "and 61 respectively, there can be no doubt. But how many of them were victims on "account of repeated failures of crop?"

48. The Deputy Commissioner, Kheri, remarks: "Suits for arrears of rent "account almost entirely for the decrease (in suits instituted). A corresponding decrease "in applications for distress leads me to think that better harvests are the cause of "reduction."

49. The Deputy Commissioner, Hardoi, writes: "I have no doubt the decrease "is due to a more strict observance of the procedure to which the Commissioner drew "attention last year. The advantages of adhering to the rules are too obvious to need "commenting on. 'Without patta suits' by landlords have decreased by about 200 each "year since 1888."

IMPERIAL RETURN No. VIII.
Value of suits instituted (Rent Courts).

50. Although the number of suits instituted in 1890 was fewer by 428 than in 1889, the value of the subject-matter rose from Rs. 10,98,114 in that year to Rs. 11,76,903 in 1890, being an increase of Rs. 78,789. The following statement gives the number of each group of suits in the years named:—

Rs.			1889.	1890.	Difference.
Of value not exceeding	10	... ...	13,906	13,153	−753
" "	50	... ...	14,108	14,494	+386
" "	100	... ...	2,856	2,763	−93
" "	500	... ...	1,492	1,516	+24
" "	1,000	... ...	147	161	+14
" "	5,000	... ...	59	55	−4
" "	10,000	... ...	2	3	+1
" exceeding "	10,000	... ...	2	1	−1

The average value of each suit in 1890 was Rs. 36-9-2 as against Rs. 33-13-11 in 1889.

51. There was an increase of 882 suits before the Rent Courts in 1890 as compared with the figures for 1889, which were 35,850 as against 36,732 in 1890. The mode of disposal in each year is shown in the following statement :—

IMPERIAL RETURN No. IX, PART 1. Disposal of suits (Rent Courts).

	1889.	1890.	Percentage to total number of suits for disposal. 1889.	1890.
Without trial.				
Rejected	204	213	0·56	0·57
Dismissed for default	2,691	2,665	7·50	7·25
Withdrawn	1,299	1,146	3·62	3·11
Without contest.				
Compromised	1,483	1,656	4·13	4·50
Decreed on confession	4,348	4,176	12·12	11·36
„ *ex parte*	7,670	8,315	21·39	22 63
Dismissed	537	687	1·49	1·87
By arbitration.				
For plaintiff	18	16	0·05	0·05
„ defendant	1	4	...	...
With contest.				
For plaintiff	10,734	11,585	29·93	31·53
„ defendant	3,332	3,502	9·29	95·3
Pending	3,533	2,767	9·85	7·56

The average duration of contested suits in 1890 was 32 days as against 31 days in 1889 ; and in uncontested suits it was 21 days in each year.

In District Courts the average duration fell from 111 days for contested suits and 116 days for uncontested suits in 1889 to 62 days and 13 days, respectively, in 1890.

52. From the remarks of Commissioners and Deputy Commissioners in the Rent Reports it would appear that the causes which led to the high percentages of cases dismissed for default and *ex parte* are not due to irregularity or unpunctuality on the part of the Courts.

53. There was a considerable increase in the number of miscellaneous cases before the Rent Courts in 1890, in which year there were 15,203 cases for disposal, being 2,443 more than in 1889. The 15,203 cases were disposed of as follows :— 819 or 5·5 per cent. were rejected or dismissed, 8,177 or 53·5 per cent. were disposed of without contest, *viz.*, 1,050 or 6·8 per cent. were compromised, 258 or 1·6 per cent. were decreed on confession, and 6,869 or 45·1 per cent. were decreed or dismissed *ex parte*.

IMPERIAL RETURN No. IX, PART 2. Miscellaneous cases (Rent Courts).

Of 5,739 contested cases 4,715 or 31 per cent. were decreed in favour of plaintiff, and 1,024 or 6·7 per cent. in favour of defendant. Only 438 cases or 2·8 per cent. remained pending. The average duration of contested cases was 22 days and of uncontested cases 17 days, as against 24 days and 14 days, respectively, in 1889.

The sections of the Oudh Rent Act under which the most noticeable increase in the number of cases instituted in 1890, as compared with the figures for 1889, are—section 15, 172 cases in Sitapur and 235 in Bahraich ; section 31, 114 cases in Sitapur and 169 in Bahraich ; section 55, 78 cases in Kheri ; section 60, 159 cases in Bara Banki, 90 in Hardoi and 111 in Sultánpur ; section 61, 84 cases in Bara Banki and 78 in Bahraich ; and under section 82, 1,060 cases in Hardoi and 61 in Bahraich.

54. The Deputy Commissioner, Bara Banki, writes : "It is evident that tenants "do not readily submit to eviction by notice, and contest the latter with all the means in "their power. Section 61 rarely fails to induce a speedy payment of rent by a contu- "macious tenant, whilst those who are chronic defaulters are effectually got rid of."

The Commissioner of the Division remarks on the Hardoi report :—"The large "increase in applications under section 82 for the sale of distressed property points to the "chief cause for the decrease in suits for arrears of rent, as the former procedure appears to

"have been resorted to with the view of realizing rents without having to sue for rent "in the Courts."

The Deputy Commissioner, Partábgarh, writes: "I have examined about 100 "applications decreed *ex parte*. All these are applications under sections 15, 60, 72, 82 of "the Oudh Rent Act, in which the opposite party is never summoned, and as the orders "passed are naturally in favour of the applicants, they are shown as *ex parte* orders."

The Deputy Commissioner, Sultánpur, remarks: "The 68 miscellaneous applica- "tions shown against Deputy Commissioner as decided *ex parte* referred to sec- "tion 61, ejectment proceedings on unpaid decrees. The defendants not having appeared "after due service of notice and expiry of the prescribed period of 15 days, the applica- "tions for ejectment had to be granted *ex parte* as required by the law."

55. During 1890 there were 3,306 appeals from decrees before the Rent Courts, being 30 more than in 1889. Of these 3,306 appeals, 160 were rejected or dismissed and 80 were heard *ex parte*. Contested appeals numbered 2,431, as against 2,457 in 1889, and decrees in 1,556 cases were confirmed, 268 being modified and 391 reversed; whilst 216 cases were remanded, leaving 635 appeals pending.

IMPERIAL RETURN No. X, PART 1. Appeals from decrees (Rent Courts).

56. Commissioners disposed of 1,689 appeals in 1890, being 17 more than in 1889, and had 590 pending at the close of the year as against 456 in 1889. The number of appeals disposed of by each Commissioner in 1890 is here given :—

	Disposed of.	Pending.	Average duration. Days.
Fyzabad	628	454	142
Rae Bareli	470	41	48
Lucknow	437	80	51
Sitapur	154	15	34

57. The average duration of appeals in Commissioners' Courts fell to 82 days in 1890 from 95 days in 1889.

58. In the year under report the average duration of appeals in Deputy Commissioners' Courts was 51 days, as against 83 days in the previous year. The average duration would have been lower but for the high average of 94 days in the Court of the Deputy Commissioner of Fyzabad owing to some longstanding appeals having been transferred from the Commissioner's Court.

59. The number of rent appeals disposed of in the Court of the Judicial Commissioner during 1890 rose to 548 from 225 in 1889. The manner in which they were disposed of was—76 were rejected or dismissed, 316 decrees were confirmed, 23 were modified and 118 were reversed, whilst 15 cases were remanded. At the close of the year 154 appeals remained pending as against 279 in 1889. The average duration of each appeal fell to 179 days from 211 days in 1889.

60. During 1890 Deputy Commissioners and Commissioners had before them for disposal 233 miscellaneous rent appeals, being 64 more than in 1889, and disposed of them thus :—12 were rejected or dismissed; the orders in 111 cases were confirmed, in 4 cases modified and in 37 cases reversed, whilst 33 cases were remanded and 36 appeals remained pending at the close of the year. The average duration was 42 days.

IMPERIAL RETURN No. X, PART 2. Miscellaneous Appeals (Rent Courts).

61. There were 39 miscellaneous rent appeals for disposal in the Court of the Judicial Commissioner, of which 7 were dismissed or rejected; the orders in 16 cases were confirmed and in 10 cases reversed, leaving 6 appeals pending. Owing to the disposal of some long pending appeals the average duration was 245 days.

62. The Rent Courts had 17,730 applications for execution of decree before them in 1890 as against 15,674 in 1889. The mode of disposal in each year is given below :—

IMPERIAL RETURN No. XI. Execution of decrees (Rent Courts).

			Percentage to total number of applications.	
	1889.	1890.	1889.	1890.
By transfer	48	50	0·30	0·28
Satisfaction in full	7,934	8,460	50·01	47·71
„ part	1,876	2,242	11·96	12·64
Wholly infructuous	4,512	5,632	28·78	31·76
Pending	1,304	1,346	8·31	7·59
In which debtor imprisoned	50	64	0·31	0·36
„ „ arrested	71	44	0·45	0·24
„ „ movable property sold ...	2,002	2,240	12·77	12·63
„ „ „ attached ...	3,970	4,243	25 32	23·93
„ „ immovable property sold ...	157	182	1·00	1·02
„ „ dealt with under section 305, Civil Procedure Code ...	3	20	0·01	0·11
„ immovable property attached ...	141	183	0 89	1·03
„ possession given of movables ...	22	24	0·14	0·13
„ „ immovables ...	811	687	5·17	3·87
„ contract was enforced	3	6	0·03	0·03
„ partition was effected	5	...	0·03	...
„ execution was otherwise effected ...	2,720	3,036	17·35	17·12

		1889.	1890.
Amount realized	With issue of process ...	2,85,960	3,31,845
	Without „ ...	10,598	13,587

The percentage of decrease fully or partially satisfied, calculated on the number executed, was 60·35 in 1890 as against 62·57 in 1889.

63. The number of witnesses examined by Rent Courts in 1890 aggregated 18,471, being 781 more than in 1889. Only 252 witnesses were detained two days and 38 witnesses three days.

PROVINCIAL RETURN No. XV. Witnesses examined (Rent Courts).

64. The receipts from process fees rose from Rs. 52,596 in 1889 to Rs. 57,580 in 1890, the increase being Rs. 4,984. The surplus also rose from Rs. 10,767 to Rs. 14,144. As usual, the districts of Sitapur and Hardoi show small deficits, regarding which the Deputy Commissioner, Sitapur, remarks: "This is unavoidable. The serving establishment "consists of 12 chaprásis superintended by a názir with four náib názirs at tahsíls, and "the work of the district could not be done on a smaller staff. The názirs in "addition have an immense amount of business totally unconnected with serving of "processes."

PROVINCIAL RETURN No. XVI. Process fees Fund (Rent Courts).

65. In 1890 the sale commission fees realized in Rent Courts rose to Rs. 8,418 from Rs. 5,728 in 1889, when the surplus was Rs. 5,129. In 1890 the surplus was Rs. 7,796.

PROVINCIAL RETURN No. XVIII. Sale Commission Fund (Rent Courts).

COURT OF THE JUDICIAL COMMISSIONER.

66. During the year under report 112 miscellaneous applications and eight references for ruling were disposed of in the Court of the Judicial Commissioner.

Revision and reference.

67. Sixteen applications for leave to appeal to Her Majesty in Council and 29 applications from pleaders for enrolment, were also disposed of during the year under report.

Miscellaneous work.

I have the honour to be,

SIR,

Your most obedient servant,

W. R. BURKITT,

Additional Judicial Commissioner, Oudh.

APPENDICES.

IMPERIAL RETURN No. VII—(Civil and Rent).

Showing the number and description of civil and rent suits instituted in the Courts of the Province of Oudh during the year 1890.

Classes of tribunals.	Suits for money or movable property.										Suits under the Rent Law.								Title and other suits.															Grand Total.
	Contract in writing.	Contract not in writing.	On account stated.	Money had and received.	Goods sold.	Wages, work and material.	Rent not falling under the Rent Law.	Movable property or value thereof.	Damages.	Other suits for money or movables not already mentioned.	Arrears of rent with or without ejectment or cancelment of lease.	Enhancement or abatement of rent.	Relating to distraint.	Damages for extortion or withholding receipts on account of illegal restraint or other causes.	For pattas or kabuliats.	For ejectment or recovery of possession.	For recovery of money or accounts from agents.	All other suits under the Rent Law not included in above.	Suits for immovable property.	Suits for declaratory decree.	Other suits under the Specific Relief Act.	Suits to declare and establish rights to real property, including pre-emption, foreclosure, &c.	Suits to declare and establish personal rights.	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts or obligation on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition.	Suits relating to shipping.	Suits relating to religion or caste.	Administration suits.	Inter-pleader suits.	Dissolution of partnership.	Suits under section 261, Act X of 1865 (also Hindu Wills Act).	Other suits not falling under any of the previous heads.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38
Civil Courts.																																				
Unpaid tribunals ...	884	634	288	82	217	16	28	401	64	78	...		...	...	...	...	...	...	32	...	...	5	...	...	...	2	..	6	2	...	1	...	...	...	...	4	2,744
Paid Sub-Divisional tribunals.	12,529	4,545	1,840	284	1,590	352	279	1,368	1,267	941	...	..	...	...	..	...	...	...	5,183	192	105	1,019	100	18	...	61	13	183	47	.	...	...	11	1	243	32,161
Small Cause Courts ...	9,561	5,074	2,770	411	3,248	756	686	1,160	815	577	...	..	...	...	.	...	...	...	...	...	...	...	...	...	...	...	...	...	.	.	..	...	...	...	...	25,058
District Courts ...	25	...	1	...	...	...	...	...	...	2	...	.	...	...	..	...	...	...	85	8	...	4	4	.	...	4	1	...	..	...	.	...	1	...	5	140
Total ...	22,999	10,253	4,899	777	5,055	1,124	993	2,929	2,136	1,598	...	..	...	...	...	...	...	...	5,300	200	105	1,028	104	18	...	67	14	189	49	...	1	...	12	1	252	60,103
Revenue (Rent) Courts.																																				
Unpaid local tribunals ...	...	...	...	...	...	...	...	...	...	...	81	..	.	...	11	...	...	14	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	95
Other Subordinate Courts, District Courts ...	...	...	...	...	...	...	...	...	...	...	24,194	37	323	259	11	2,836	62	4,321	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	32,073
											6		...	1	...	1	...	..	...	...	..	...	..	..	.	...	...	...	...	...	.	...	...	...	...	...	8
Total ...	...	...	...	...	...	...	...	...	...	...	24,281	7	323	260	11	2,837	62	4,335	...	...	.	...	...	...	...	...	...	...	..	...	...	...	...	...	...	32,176
Courts at the seat of Government.	...	...	...	...	...	...	...	...	...	...	...	..	...	...	...	...	...	...	...	...	...	...	...	.	...	...	...	...	...	.	...	...	...	...	...	...
Presiding Small Cause Courts.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	.	...	...	...	...	...	...	...	...	...	...	...	...
Superior Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	.	..	...	...	...	...	...	...	..	...	1	...	...	.	.	...	...	...	...	1
Total ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	..	...	...	...	...	...	...	..	..	...	1	...	...	..	..	...	...	...	...	1
GRAND TOTAL ...	22,999	10,253	4,899	777	5,055	1,124	993	2,929	2,136	1,598	24,281	67	323	260	11	2,837	62	4,335	5,300	200	105	1,028	104	18	...	67	15	189	49	.	1	...	12	1	252	92,280

IMPERIAL RETURN No. VIII—(Civil and Rent).

Showing the number and value of suits instituted in the Civil and Rent Courts in the Province of Oudh during the year 1890.

Class of Courts.	Number of suits instituted in the different Courts.									Total value of suit.	Remarks.
	Not exceeding Rs. 10.	Not exceeding Rs. 50.	Not exceeding Rs. 100.	Not exceeding Rs. 500.	Not exceeding Rs. 1,000.	Not exceeding Rs. 5,000.	Not exceeding Rs. 10,000.	Exceeding Rs. 10,000.	Number of suits, the value of which cannot be estimated in money.		
1	2	3	4	5	6	7	8	9	10	11	12
										Rs. a. p.	
Civil Courts.											
Unpaid tribunals	999	1,413	293	86	3	...	...	...	...	67,765 11 11	
Paid Sub-divisional tribunals	6,973	13,391	5,657	4,594	897	564	84	...	...	40,08,079 2 6	
Small Cause Courts	8,888	13,073	1,868	1,229	...	...	...	...	...	7,58,987 7 10	
District Courts	...	...	...	1	1	1	...	137	...	66,39,606 6 6	
Total	16,860	27,877	7,818	5,861	901	565	84	137	...	11,474,438 12 9	
Revenue (Rent) Courts.											
Unpaid Local tribunals	33	44	10	8	...	...	...	...	...	3,234 6 6	
Other Subordinate Courts	13,120	14,448	2,751	1,508	161	55	...	...	30	11,44,031 6 11	
District Courts	...	2	2	...	...	...	3	1	...	29,637 14 2	
Total	13,153	14,494	2,763	1,516	161	55	3	1	30	11,76,903 11 7	
Grand Total	30,013	42,371	10,581	7,377	1,062	620	87	138	30	12,651,342 8 4	

IMPERIAL RETURN No. IX—(Civil and Rent).

Statement showing the general result of the trial of Civil and Revenue (Rent) cases in the Courts of original jurisdiction in the Province of Oudh in the year 1890.

PART I.—Civil and Rent Suits.

Class of Courts.	Total number of suits before the Courts.	Number of cases disposed of –										Pending at close of the year.	Number of cases pending more than three months at the close of the year.	Average duration of cases.		Remarks.
		Transferred to other Courts.	Without trial.	Without contest.				On reference to arbitration		With contest.						
				Compromised.	Decreed on confession.	Decreed *ex parte*.	Dismissed *ex parte*.	For plaintiff.	For defendant.	Judgment for plaintiff in whole or in part.	Judgment for defendant.			Contested.	Uncontested.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
I.—Civil Courts.																
Unpaid tribunals	3,149	...	755	517	634	255	75	20	6	437	196	254	52	45·82	49·19	
Paid Sub-divisional tribunals	3,116	...	5,615	4,054	3,191	3,614	601	67	24	7,143	3,793	3,044	1,175	67·15	35·96	
Small Cause Courts	27,567	...	4,673	3,540	4,691	3,834	458	25	8	5,049	2,359	2,930	656	41·54	36 54	
District Courts (other than Chief Courts)	7,914	...	1,077	683	459	512	149	47	8	1,909	846	2,224	1,201	139 93	79·54	
Chief Courts of Districts	277	...	15	7	5	2	...	1	...	29	48	170	139	357·91	140 31	
Total ...	70,053	...	12,135	8,801	8,980	8,217	1,283	160	46	14,567	7,242	8,622	3,223	73·18	41 39	
II.—Revenue (Rent) Courts.																
Unpaid local tribunals	106	...	10	5	24	18	2	...	...	37	6	4	...	43·53	29·50	
Paid Sub divisional tribunals	15,028	...	1,658	945	2,442	4,331	145	8	1	4,520	804	174	1	27 29	17·02	
Other Subordinate Courts	21,588	...	2,355	706	1,710	3,964	540	8	3	7,022	2,691	2,589	43	34·71	24·82	
District Courts	10	...	1	...	...	2	...	...	...	6	1	...	...	6·14	13 33	
Total ...	36,732	...	4,024	1,656	4,176	8,315	687	16	4	11,585	3,502	2,767	44	32·06	21·42	
Superior Courts	1	...	...	...	...	...	...	...	...	1	...	...	...	75·	...	
Grand Total ...	106,786	...	16,159	10,457	13,156	16,532	1,970	176	50	26,153	10,744	11,389	3,267	50·46	35·20	

IMPERIAL RETURN No. IX—(Civil and Rent).

Statement showing the general result of the trial of Civil and Revenue (Rent) cases in the Courts of original jurisdiction in the Province of Oudh in the year 1890.

PART II.—Miscellaneous Cases.

Class of Courts.	Total number of suits before the Courts.	Number of cases disposed of—										Pending at the close of the year.	Number of cases pending more than three months at the close of the year.	Average duration of cases.		Remarks.
		Transferred to other Courts.	Without trial.	Without contest.				On reference to arbitration.		With contest.						
				Compromised.	Decreed on confession.	Decreed *ex parte*.	Dismissed *ex parte*.	For plaintiff.	For defendant.	Judgment for plaintiff in whole or in part.	Judgment for defendant.			Contested.	Uncontested.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
I.—Civil Courts.																
Unpaid tribunals	204	...	39	12	18	8	10	5	2	62	31	17	4	51·17	33 34	
Paid Sub-divisional tribunals	5,096	...	1,078	165	189	174	142	1	...	1,683	1,289	384	22	32 19	29 53	
Small Cause Courts	1,656	...	415	48	47	44	10	...	...	523	378	188	39	28·66	37 89	
District Courts other than Chief Courts of Districts...	2,879	...	431	69	30	133	7	...	...	1,163	646	400	63	35·89	30 12	
Chief Courts of Districts	553	...	128	13	2	16	4	...	...	160	57	173	91	111 21	49 87	
Total ...	10,388	...	2,091	307	277	375	173	6	2	3,594	2,401	1,162	219	35 55	33 16	
II.—Revenue (Rent) Courts.																
Unpaid local tribunals	2	...	2	...	...	...	...	...	...	...	...	...	...	...	28·	
Paid Sub divisional tribunals	8,577	...	365	939	159	4,860	31	...	...	1,642	235	346	2	22·89	16·62	
Other Subordinate Courts	4,597	...	384	42	25	1,447	62	...	...	2,101	458	78	1	18·09	14 80	
District Courts	2,027	...	98	69	74	444	25	...	...	972	331	14	3	24 41	28 23	
Total ...	15,203	...	849	1,050	258	6,751	118	...	...	4,715	1,024	438	6	22·41	17·14	
Grand Total ...	25,591	...	2,940	1,357	535	7,126	291	6	2	8,309	3,425	1,600	225	29·13	21·03	

IMPERIAL RETURN No. X—(Civil and Rent).

Statement showing the business of the Civil and Revenue (Rent) Appellate Courts of the Province of Oudh in the year 1890.

Part I.—Appeals from Decrees.

Class of Courts.	Total number of appeals before the Courts.	Transferred to Courts in other provinces.	Appeals summarily rejected.	Dismissed for default or otherwise not prosecuted.	Heard *ex parte*.				Contested.				Pending.	Of those pending more than three months.	Average duration of appeals.	Objections under section 561, Act XIV, 1882.	Remarks.
					Confirmed.	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed.	Remanded.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
COURTS IN THE INTERIOR.																	
Appeals from original decrees.																	
A.—Civil Courts.																	
Chief Appellate Courts other than Chief Courts of Districts ...	1,491	...	5	62	7	2	11	1	745	87	241	82	248	91	70·67	13	
Chief Appellate Courts of Districts	2,640	...	146	56	25	...	1	...	917	167	286	145	897	503	126·09	66	
Superior Appellate Courts other than Chief Courts of Provinces...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ...	4,131	...	151	118	32	2	12	1	1,662	254	527	227	1,145	594	103·02	79	
B.—Revenue (Rent) Courts.																	
Collectors' Appellate Courts...	1,027	...	13	40	8	1	...	4	622	113	129	52	45	...	51·45	4	
Commissioners' Courts	2,279	...	19	88	31	6	17	13	934	155	262	164	590	333	82 60	34	
Total ...	3,306	...	32	128	39	7	17	17	1,556	268	391	216	635	333	71·15	38	
Courts of the Presidency or seat of Government.																	
Chief Court of Province. Appeals from original decrees ... Civil ...	188	...	...	3	...	...	...	...	53	7	20	12	93	84	423·58	7	
Chief Court of Province. Appeals from original decrees ... Rent ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Chief Court of Province. Appeals from appellate decrees... Civil ...	945	...	16	13	...	...	...	...	332	32	153	6	393	313	425·10	10	
Chief Court of Province. Appeals from appellate decrees... Rent ...	702	...	69	7	7	3	5	...	309	20	113	15	154	84	179·02	6	
Total ...	1,835	...	85	23	7	3	5	...	694	59	286	33	640	481	320 66	23	
Grand Total ...	9,272	...	268	269	78	12	34	18	3,912	581	1,204	476	2,420	1,408	128 52	140	

IMPERIAL RETURN No. X—(Civil and Rent).

Statement showing the business of the Civil and Revenue (Rent) Appellate Courts of the Province of Oudh in the year 1890.

PART II.—Miscellaneous.

Class of Courts.	Total number of appeals before the Courts.	Transferred to Courts in other provinces.	Appeals summarily rejected.	Dismissed for default or otherwise not prosecuted.	Heard *ex parte*.				Contested.				Pending.	Of those pending more than three months.	Average duration of appeals.	Objections under section 661, Act XIV of 1882.	Remarks.
					Confirmed.	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed.	Remanded.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
COURTS IN THE INTERIOR.																	
Appeals from original decrees.																	
A.—Civil Courts.																	
Chief Appellate Courts other than Chief Courts of Districts ...	72	...	3	9	...	...	1	1	22	1	12	12	11	1	47·27	...	
„ „ of Districts and Superior Appellate Courts other than Chief Courts of Province.	325	...	76	11	2	...	13	...	72	5	33	32	81	43	81 72	...	
Total ...	397	...	79	20	2	...	14	1	94	6	45	44	92	44	74·83	...	
B.—Revenue (Rent) Courts.																	
Collectors' Appellate Courts	124	...	...	7	2	...	...	...	50	1	28	27	9	...	25·41	...	
Commissioners' Appellate Courts	109	...	2	3	5	...	4	...	54	3	5	6	27	22	66 65	1	
Total ...	233	...	2	10	7	...	4	...	104	4	33	33	36	22	42·58	1	
Courts of the Presidency or seat of Government.																	
Chief Court of Province — Appeals from original decrees ... Civil ...	88	...	4	...	2	...	3	...	41	2	13	2	21	10	206 36	1	
Chief Court of Province — Appeals from original decrees ... Rent ...	4	...	...	...	...	...	...	...	2	..	..	...	2	1	356·	...	
Chief Court of Province — Appeals from appellate decrees ... Civil ...	90	...	2	6	3	...	...	...	35	3	26	1	14	7	241·28	2	
Chief Court of Province — Appeals from appellate decrees ... Rent ...	35	...	6	1	...	...	1	...	14	...	9	...	4	2	237 48	...	
Applications for revision under section 622, Act XIV of 1882 ...	355	...	140	3	6	1	3	1	119	6	23	5	48	27	148 91	...	
Total ...	572	...	152	10	11	1	7	1	211	11	71	8	89	47	177 74	3	
Grand Total ...	1,202	...	233	40	20	1	25	2	409	21	149	85	217	113	118 85	4	

IMPERIAL RETURN No. XI—(Civil and Rent).

Statement showing the result of proceedings on application for execution of the decrees of the Civil and Revenue (Rent) Courts in the Province of Oudh during the year 1890.

Class of Courts.	Total number of applications for the execution of decrees before the Courts.	Applications disposed of—				Pending at the end of the year.	Number of applications pending more than three months at the close of the year.	Amount realized.		Number of applications—												
		By transfer.	Satisfaction obtained in full.	Satisfaction obtained in part.	Wholly infructuous.			With the issue of process.	Without the issue of process.	On which the judgment-debtor was imprisoned.	On which he was arrested, but released without imprisonment.	On which movable property—		On which immovable property—			On which possession was given.		On which specific performance was enforced.	On which partition was effected.	On which execution effected otherwise than in the preceding columns.	Remarks.
												Was sold.	Was attached, but subsequently released.	Was sold.	Was dealt with under section 305, 322 or 326, Act XIV of 1882	Was attached, but subsequently released under section 275.	Of immovables.	Of movables.				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
								Rs. a. p.	Rs. a. p.													
Courts in the Interior.																						
I.—Civil Courts.																						
Unpaid tribunals	1,093	62	360	186	374	111	27	8,297 2 6	5,483 15 3	..	1	124	336	17	2	4	...	13	8	...	55	
Paid Sub-divisional tribunals ...	21,567	437	6,627	2,852	8,518	3,053	1,010	2,82,805 0 1	17,880 14 7	18	24	1,874	3,808	511	6	479	10	1,694	21	19	2,498	
Small Cause Courts	15,674	687	3,438	2,605	7,450	1,404	115	1,13,289 10 7	18,298 11 7	40	67	1,123	2,118	...	...	...	...	.	...	...	3,197	
District Courts	7,155	163	1,819	1,084	2,528	1,561	689	3,78,592 7 8	56,713 15 7	5	4	621	1,195	347	15	397	...	589	5	4	676	
Chief Courts of Districts ...	448	4	84	58	141	161	116	4,67,367 7 9	17,722 3 10	...	1	16	13	6	1	3	2	23	1	1	82	
Total ...	45,937	1,353	12,328	6,785	19,091	6,380	1,957	12,50,351 12 7	1,16,099 12 10	63	97	3,758	7,470	881	24	883	12	2,319	35	24	6,508	
II.—Revenue (Rent) Courts.																						
Unpaid local tribunals ...	39	...	18	5	11	5	...	547 10 10	...	..	..	5	12	...	...	1	...	1	...	...	6	
Other Sub-Courts	7,701	20	4,008	1,042	2,280	351	27	82,335 0 0	4,732 7 10	17	20	1,099	2,341	53	2	48	...	...	...	...	1,473	
District Courts	9,973	30	4,429	1,192	3,333	989	194	2,47,710 3 4	8,855 3 2	47	23	1,134	1,890	129	17	134	24	686	6	...	1,553	
Chief Courts of Districts ...	17	...	5	3	8	1	1	1,252 5 0	...	...	1	2	...	...	1	...	...	...	...	...	4	
Total ...	17,730	50	8,460	2,242	5,632	1,346	222	3,31,845 3 2	13,587 11 0	64	44	2,240	4,243	182	20	183	24	687	6	...	3,036	
Grand Total ...	63,667	1,403	2,788	9,027	24,723	7,726	2,179	15,82,196 15 9	1,29,687 7 10	127	141	5,998	11,713	1,063	44	1,066	36	3,006	41	24	9,544	

IMPERIAL RETURN No. XII—(CIVIL).

Proceedings in Insolvency under Chapter XX, Act XIV of 1882, *in the districts of the Province of Oudh, during the year* 1890, *showing the number and result of applications under section* 344 *and the number of insolvents before the Courts.*

Class of Courts.	Application for declaration of insolvency.								Number of insolvents discharged during the year under section 355.	Number of insolvents' estates in the hands of receivers in which proceedings were finally closed during the year.	Amount of creditors' claims dealt with during the year.		Gross amount of insolvents' assets realized and disbursed.		Remarks.
	Total number of applications.	Transferred to another province, withdrawn, &c.	Granted.		Rejected.			Pending at the close of the year.			Admitted.	Satisfied.	Realized during the year.	Disbursed during the year.	
			A receiver being appointed.	A receiver not being appointed.	Penal proceedings under section 359 not being taken.	Sentence of imprisonment being passed under section 359.	Applicant being sent to the Magistrate to be dealt with.								
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
											Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	
Chief Courts of Districts ...	40	3	5	8	16	...	...	8	5	5	23,811 0 0	827 5 11	977 6 9	847 6 9	

A.—Showing original suits instituted, disposed of and pending in Civil Courts in the Province of Oudh in 1890, *as compared with the figures in* 1889.

Districts.	Courts.	Instituted.		Disposed of.		Pending		Remarks.
		1889.	1890.	1889.	1890.	1889.	1890.	
1	2	3	4	5	6	7	8	9
Lucknow ...	Regular	1,967	1,680	1,553	1,915	1,039	868	The entries in column 4 show fresh institutions only and do not include cases received by transfer or on remand, review or revival during the year.
	Small Cause Court ...	1,097	1,377	1,227	1,395	78	110	
Unao	Regular	4,921	4,388	4,719	4,573	632	550	
	Small Cause Court ...	554	453	551	468	41	32	
Bara Banki ...	Regular	1,673	1,362	1,960	1,394	138	161	
	Small Cause Court ...	1,533	2,008	1,502	2,021	49	49	
Sitapur ...	Regular	4,756	4,676	4,994	4,638	304	488	
	Small Cause Court ...	119	57	113	62	13	8	
Hardoi ...	Regular	3,340	3,688	3,169	3,787	512	512	
	Small Cause Court ...	2,014	1,603	2,052	1,500	...	103	
Kheri ...	Regular	2,075	2,069	2,121	2,003	263	381	
	Small Cause Court ...	1,148	741	1,183	900	146	...	
Fyzabad ...	Regular	3,177	2,390	3,302	2,578	925	820	
	Small Cause Court ...	2,223	2,242	2,139	2,351	266	192	
Bahraich ...	Regular	2,384	1,983	2,589	2,163	729	597	
	Small Cause Court ...	3,053	3,871	3,770	3,554	482	871	
Gonda ...	Regular	4,808	5,129	6,087	5,468	683	582	
	Small Cause Court ...	2,127	1,423	2,499	1,334	190	299	
Rae Bareli ...	Regular	4,090	3,235	4,056	3,094	679	295	
	Small Cause Court ...	...	568	...	501	...	68	
Sultánpur ...	Regular	2,272	1,729	2,357	1,762	92	8	
	Small Cause Court ...	2,174	2,429	2,163	2,418	51	71	
Partábgarh ...	Regular	2,640	2,716	2,821	2,819	403	355	
	Small Cause Court ...	2,117	1,727	1,870	2,038	674	378	
	Total ...	56,862	53,544	58,797	55,336	8,389	7,873	

B.—Showing the work done by District Judges in 1890 *in the Province of Oudh.*

Districts.	Original suits.	Miscellaneous.		Appeals.		Sessions trials.	Criminal appeals.	Criminal applications for revision.	Remarks.
		Application for execution of decrees.	Judicial.	Regular.	Miscellaneous.				
Lucknow	38	92	110	292	73	* 27	* 143	...	* Decided by District Judge in the capacity of Additional Sessions Judge.
Sitapur	11	29	86	426	70	...	...	...	
Fyzabad	46	54	97	468	72	...	...	...	
Rae Bareli	12	32	78	557	29	...	...	...	
Total ...	107	207	380	1,743	244	27	143	...	

C.—Showing the work done by Subordinate Judges in 1890 *in the districts of the Province of Oudh.*

District.	Jurisdiction.	Suits.				Miscellaneous cases.		Appeals.	
		Withdrawn, &c.	Decided *ex parte*.	Contested.	Total.	Application for execution of decree.	Judicial.	Regular.	Miscellaneous.
Lucknow	Regular	48	12	92	152	313	140	110	7
	Small Cause Court	...	...	...	...	...	...	...	...
Unao	Regular	57	20	211	288	262	147	185	9
	Small Cause Court	248	66	154	468	241	...	...	...
Bara Banki ...	Regular	74	26	176	276	477	236	109	7
	Small Cause Court	379	103	133	615	389	...	...	...
Sitapur	Regular	256	71	242	569	418	230	...	...
	Small Cause Court	35	10	17	62	58	8	...	...
Hardoi	Regular	497	90	370	957	758	295	...	...
	Small Cause Court	1,037	166	297	1,500	761	122	...	...
Kheri	Regular	194	22	133	349	433	131	...	...
	Small Cause Court	652	69	179	900	344	51	...	...
Fyzabad	Regular	130	28	380	538	584	235	278	13
	Small Cause Court	510	206	920	1,636	1,087	196	...	...
Bahraich	Regular	488	95	222	805	401	188	76	3
	Small Cause Court	1,004	321	260	1,675	778	120	...	...
Gonda	Regular	133	22	140	295	537	215	342	20
	Small Cause Court	156	12	72	240	49	10	...	...
Rae Bareli... ...	Regular	116	31	262	409	510	194	108	...
	Small Cause Court	172	46	29	247	13	...	...	...
Sultánpur	Regular	118	12	249	379	372	227	3	...
	Small Cause Court	474	114	405	993	514	44	...	...
Partábgarh ...	Regular	257	83	333	673	529	241	32	2
	Small Cause Court	1,057	430	551	2,038	1,076	212	...	...
	Total ...	8,182	2,055	5,827	16,064	10,904	3,242	1,243	61

D.—Showing the work done by Munsifs in 1890 *in the districts of the Province of Oudh.*

District.	Munsif.	Jurisdiction.	Suits.				Miscellaneous.	
			Withdrawn, compromised, confessed, &c.	Decided *ex parte*.	Contested.	Total.	Applications for execution of decrees.	Judicial.
Lucknow ...	North	Regular	350	75	328	753	855	185
		Small Cause Court ...	513	112	139	764	246	45
	South	Regular	372	128	442	942	1,062	326
		Small Cause Court ...	399	78	154	631	317	40
		Total ...	1,634	393	1,063	3,090	2,480	596
Unao	Unao	Regular	896	158	445	1,499	713	230
		Small Cause Court ...	...	...	...	...	...	...
	Purwa	Regular	527	152	324	1,003	669	136
		Small Cause Court ...	...	...	...	...	...	...
	Safipur	Regular	736	81	834	1,651	806	271
		Small Cause Court ...	...	...	...	...	...	...
		Total ...	2,159	391	1,603	4,153	2,188	637
Bara Banki ...	Ramsanehighát ...	Regular	284	72	251	607	649	102
		Small Cause Court ...	522	70	188	780	146	24
	Fatehpur ...	Regular	211	34	261	506	518	152
		Small Cause Court ...	359	56	211	626	158	40
		Total ...	1,376	232	911	2,519	1,471	318
Sitapur ...	Sitapur	Regular	853	316	486	1,655	801	166
	Biswan	Regular	1,136	328	566	2,030	1,126	363
		Total ...	1,989	644	1,052	3,685	1,927	529
Hardoi ...	Shahabad ...	Regular	660	86	364	1,110	695	130
		Small Cause Court ...	...	...	...	...	...	...
	Bilgram... ...	Regular	578	192	503	1,273	705	203
		Total ...	1,238	278	867	2,383	1,400	333
Kheri	Mahomdi ...	Regular	605	90	277	972	461	135
Fyzabad ...	Fyzabad ...	Regular	262	33	498	793	630	139
		Small Cause Court ...	426	61	228	715	148	18
	Akbarpur ...	Regular	600	173	428	1,201	551	128
		Small Cause Court ...	...	...	...	...	...	...
		Total ...	1,288	267	1,154	2,709	1,329	285
Gonda	Gonda	Regular	232	100	193	525	503	105
		Small Cause Court ...	508	142	315	965	162	51
	Additional Munsif ...	Regular	791	269	452	1,512	728	261
		Small Cause Court ...	...	...	...	...	...	...
	Utraula	Regular	807	260	621	1,688	729	211
	Tarabganj ...	Regular	533	173	742	1,448	816	218
		Small Cause Court ...	60	17	52	129	9	6
		Total ...	2,931	961	2,375	6,267	2,947	852
Bahraich ...	Kaisarganj ...	Regular	189	77	169	435	643	124
		Small Cause Court ...	1,011	256	612	1,879	667	134
		Total ...	1,200	333	781	2,314	1,310	258
Rae Bareli ...	Rae Bareli ...	Regular	658	169	613	1,440	1,008	226
		Small Cause Court ...	143	38	73	254	3	2
	Dalmau	Regular	820	214	551	1,585	942	198
		Total ...	1,621	421	1,237	3,279	1,953	426
Sultánpur ...	Sultánpur ...	Regular	230	60	598	888	855	205
		Small Cause Court ...	324	85	335	744	313	32
	Musáfirkhána ...	Regular	180	37	278	495	514	116
		Small Cause Court ...	417	110	154	681	134	8
		Total ...	1,151	292	1,365	2,808	1,816	361
Partábgarh ...	Partabgarh ...	Regular	612	232	524	1,368	928	225
		Small Cause Court ...	...	...	...	...	...	...
	Kunda	Regular	339	105	279	723	607	157
		Total ...	951	337	803	2,091	1,535	382
		GRAND TOTAL ...	18,143	4,639	13,488	36,270	20,817	5,112

E.—Showing the work done by Courts of Small Causes in 1890 *in the districts of the Province of Oudh.*

District.	Courts.	Powers.	Suits.				Miscellaneous.		Appeals.	
			Withdrawn, compromised, confessed, &c.	Decided *ex parte*.	Contested.	Total.	Application for execution of decrees.	Judicial.	Regular.	Miscellaneous.
Lucknow ...	City Small Cause Court.	S. C.	2,550	1,149	1,787	5,486	6,261	293	...	...
	Lucknow Cantonment,	S. C. & C. M.	273	100	131	504	272	8	...	...
Fyzabad ...	Fyzabad „ ...	S. C. & C. M.	43	17	45	105	34	4	...	...
	Total ...	...	2,866	1,266	1,963	6,095	6,567	305	...	...

G.—Statement showing the court fees (other than process fees) realized in the Civil Courts in the Province of Oudh, during the year 1890.

District.	*Ad valorem* fees.			Fixed fees.		Gross fees realized.	Refunds under sections 10, 13, 14 and 15, Act VII of 1870, and under Notification No. 2768, dated 30th April 1876, and under Rule 58 or Circular Order 12 of 1882.	Net fees realized.	Remarks.
	On plaints, memoranda of appeals and applications for review of judgment.	On copies and translations.	On certificates, probates and letters of administration.	On plaints and memoranda of appeals.	On other documents.				
1	2	3	4	5	6	7	8	9	10
	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	
Lucknow	78,057 2 0	1,419 13 0	10,495 0 0	3,669 14 0	5,575 10 0	99,217 7 0	585 10 0	98,631 13 0	
Unao	29,411 15 0	1,153 9 0	1,911 0 0	320 0 0	4,944 8 0	37,741 0 0	188 5 0	37,552 11 0	
Bara Banki	26,806 5 0	366 11 0	503 0 0	650 8 0	3,018 11 0	31,345 3 0	35 6 0	31,309 13 0	
Sitapur	39,831 9 0	1,643 11 0	576 0 0	220 0 0	3,714 5 0	45,985 9 0	539 10 0	45,445 15 0	
Hardoi	33,245 15 0	1,476 11 0	860 0 0	388 0 0	3,955 0 0	39,925 10 0	...	39,925 10 0	
Kheri	11,285 11 0	185 2 0	246 0 0	67 8 0	2,069 7 0	13,873 12 0	...	13,873 12 0	
Fyzabad	44,793 0 0	2,573 8 0	701 12 0	969 8 0	3,953 11 0	52,991 7 0	870 2 0	52,121 5 0	
Bahraich	20,052 2 0	321 11 0	260 0 0	107 0 0	1,167 7 0	21,908 4 0	28 14 0	21,879 6 0	
Gonda	27,386 6 0	701 4 0	654 8 0	447 8 0	3,279 3 0	32,468 13 0	77 10 0	32,391 3 0	
Rae Bareli	37,941 13 0	2,165 7 0	2 819 8 0	415 0 0	4,772 2 0	48,113 14 0	270 12 0	47,843 2 0	
Sultánpur	16,548 2 0	566 3 0	441 2 0	365 0 0	2,709 13 0	20,630 4 0	...	20,630 4 0	
Partábgarh	26,389 8 0	1,023 1 0	3,912 0 0	145 0 0	2,591 8 0	34,061 1 0	1 2 0	34,059 15 0	
Total ...	3,91,749 8 0	13,596 11 0	23,379 14 0	7,764 14 0	41,771 5 0	4,78,262 4 0	2,597 7 0	4,75,664 13 0	
High Court of the Province of Oudh ...	37,328 4 0	9 8 0	84 0 0	7,883 15 0	...	45,305 11 0	...	45,305 11 0	
GRAND TOTAL ...	4,29,077 12 0	13,606 3 0	23,463 14 0	15,648 13 0	41,771 5 0	5,23,567 15 0	2,597 7 0	5,20,970 8 0	

H.—*Showing the Income and Expenditure of the Civil Courts in the Province of Oudh, during the year* 1890.

District	Income.							Expenditure.							
	Net value of stamps exclusive of those used to denote process fees.	Duty and penalties on instruments not duly stamped.	Fines.	Process fees. Fees for employment of Amins	Process fees. Other fees.	Judicial Record Fund.	Sale proceeds of unclaimed property of intestates (Regulation 5 of 1790).	Total.	Salaries of officers presiding over Civil Courts and of their establishments, the full salaries of the Judges and establishment of High Court, and half salaries of District and Sessions Judges and their subordinates who are employed on Criminal as well as the Civil side being entered	Process serving establishment. (a) Central názir, názirs, bailiffs and nazarat office chaprásis.	Process serving establishment. (b) Process serving peons.	Amin establishment.	Judicial Record Fund.	Total.	Surplus.	Deficit.
1	2	3	4	5	6	7	8	9	10	11		12	13	14	15	16
	Rs. a. p.	Rs. a. p.	Rs. a. p.		Rs. a. p.	Rs. a. p.		Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.		Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
Lucknow ...	98,631 13 0	353 12 0	65 8 0	...	14,955 5 0	5,527 1 2	...	1,19,533 7 2	61,370 15 8	3,173 3 7	8,241 15 4	...	2,752 3 8	75,538 6 3	43,995 0 11	...
Unao ...	37,552 11 0	164 12 0	55 15 0	...	10,462 5 0	3,672 0 0	...	51,907 11 0	18,485 14 5	1,118 5 4	5,105 2 1	...	1,440 13 3	26,150 3 1	25,757 7 11	...
Bara Banki ...	31,309 13 0	231 0 0	74 5 2	...	6,728 15 0	4,032 6 0	...	42,376 7 2	18,016 3 3	900 0 0	3,373 8 2	...	1,489 11 10	23,779 7 3	18,596 15 11	...
Sitapur ...	45,445 15 0	75 8 0	35 0 0	...	8,373 12 0	3,310 11 0	...	57,240 14 0	36,991 0 0	1,110 0 0	3,511 1 7	.	1,743 7 0	43,355 8 7	13,885 5 5	...
Hardoi ...	39,925 10 0	144 0 0	54 8 0	...	8,984 12 0	3,555 7 0	...	52,664 5 0	16,781 13 10	1,012 0 0	4,045 6 8	...	1,677 9 4	23,516 13 10	29,147 7 2	...
Kheri ...	13,873 12 0	48 4 0	16 2 0	...	4,264 4 0	1,323 12 3	...	19,526 2 3	15,279 0 0	899 0 0	2,338 11 10	..	601 2 6	19,117 14 4	408 3 11	...
Fyzabad ..	52,121 5 0	190 10 0	53 4 0	..	9,644 12 6	5,520 14 0	...	67,530 13 6	48,961 1 6	1,079 8 0	4,087 0 8	...	2,842 3 3	56,969 13 5	10,561 0 1	...
Bahraich ...	21,879 6 0	59 4 0	15 0 0	...	7,071 4 0	1,320 0 0	...	30,344 14 0	13,080 10 0	779 4 0	3,577 1 6	...	912 2 5	18,349 1 11	11,995 12 1	...
Gonda ...	32,391 3 0	235 10 0	35 0 0	...	10,310 4 0	2,409 7 6	...	45,471 8 6	23,051 11 6	1,116 0 0	5,281 13 6	.	1,188 0 9	30,637 9 3	14,833 14 9	...
Rae Bareli ...	47,843 2 0	1,204 6 0	93 8 0	..	7,729 7 0	4,121 14 0	...	60,992 5 0	41,964 15 6	1,074 12 5	4,813 12 1	...	2,139 3 0	49,992 11 0	10,999 10 0	...
Sultánpur ...	20,630 4 0	355 12 0	2 0 0	...	6,712 4 0	1,989 10 0	...	29,789 14 0	22,041 4 0	876 4 1	4,148 7 10	...	640 13 8	28,006 13 7	1,783 0 5	...
Partábgarh ...	34,059 15 0	244 10 0	71 2 0	...	8,140 8 0	1,811 7 0	...	44,327 10 0	14,789 6 0	851 0 0	4,917 1 2	...	618 15 6	21,176 6 8	23,151 3 4	...
Total ...	4,75,664 13 0	3,407 8 0	571 4 2	..	1,03,377 12 6	38,684 9 11	...	6,21,705 15 7	3,30,813 15 8	13,989 5 5	53,441 2 5	...	18,346 6 2	4,16,590 13 8	2,05,115 1 11	...
High Court of Province of Oudh.	45,305 11 0	...	...	..	2,778 0 0	2,521 6 0	...	50,605 1 0	1,10,356 3 1	417 1 0	...		2,269 4 9	1,13,042 8 10	...	62,437 7 10
GRAND TOTAL,	5,20,970 8 0	3,407 8 0	571 4 2	..	1,06,155 12 6	41,205 15 11	...	6,72,311 0 7	4,41,170 2 9	14,406 6 5	53,441 2 5	...	20,615 10 11	5,29,633 6 6	2,05,115 1 11	62,437 7 10

PROVINCIAL RETURN No. XV—(Civil and Rent).

Showing the detention of witnesses before Civil and Rent Courts in suits, miscellaneous cases and in execution of decree in the Courts of the districts of the Province of Oudh, for the year 1890.

Courts.	Discharged after being in attendance—											Remarks.
	1 day.	2 days.	3 days.	4 days.	5 days.	6 days.	7 days.	8 days.	9 days.	16 to 23 days.	Total.	
Civil Courts.												
Lucknow	15,478	408	83	40	...	...	...	...	...	...	16,009	
Sitapur	8,774	247	15	8	10	...	...	...	...	...	9,054	
Fyzabad	14,139	510	39	5	...	1	...	...	...	...	14,694	
Rae Bareli	13,090	129	80	15	6	6	1	...	...	...	13,927	
Total ...	52,081	1,294	217	68	16	7	1	...	...	...	53,684	
Small Cause Courts.												
Lucknow City Small Cause Court ...	3,350	37	8	...	...	...	...	...	...	...	3,395	
„ Cantonment Court ...	232	...	...	...	...	...	...	...	...	...	232	
Fyzabad „ „	59	...	...	...	...	...	...	...	...	...	59	
Total ...	3,641	37	8	...	...	...	...	...	...	...	3,686	
Rent Courts.												
Lucknow	993	12	...	...	...	...	...	...	...	...	1,005	
Unao	2,109	15	...	...	...	...	...	...	...	...	2,124	
Bara Banki	1,380	37	4	...	...	...	...	...	...	...	1,421	
Sitapur	531	...	...	...	...	...	...	...	...	...	531	
Hardoi	1,358	105	28	...	...	...	...	...	...	...	1,491	
Kheri	543	28	1	...	...	...	...	...	...	...	572	
Fyzabad	1,984	2	...	...	...	...	...	...	...	...	1,986	
Bahraich	1,835	2	1	...	...	...	...	...	...	...	1,838	
Gonda	2,142	...	...	...	...	...	...	...	...	...	2,142	
Rae Bareli	1,212	10	...	...	...	...	...	...	...	...	1,222	
Sultánpur	2,510	19	4	...	...	...	...	...	...	...	2,533	
Partábgarh	1,584	22	...	...	...	...	...	...	...	...	1,606	
Total ...	18,181	252	38	...	...	...	...	...	...	...	18,471	

PROVINCIAL RETURN No. XVI (Civil and Rent).

Showing the Receipts and Disbursements on account of Processes in the Courts of the Province of Oudh, during the year 1890.

Districts.	Average number of servers employed.	Aggregate number of processes served.	Average number per server.	Receipts.			Disbursements.						Remarks.
				Value of fees received within the year.	Remittances from other Provinces.	Total.	Pay of supervising establishment, including nazarat and bailiff.	Pay of peons.	Pension fund, 12 per cent.	Contingencies and refunds.	Total.	Surplus or deficit.	
Civil.				Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p	Rs. a. p	Rs. a. p	Rs. a. p.	Rs. a. p	
District Judge, Lucknow	180	78,450	435·83	25,731 12 0	0 6 0	25,732 2 0	3,334 5 4	12,662 14 5	1,919 11 8	216 9 0	18,133 8 5	7,598 9 7	
„ Sitapur	135	69,991	518·45	21,598 0 0	24 12 0	21,622 12 0	3,021 0 0	9,895 4 1	1,187 6 11	122 0 0	14.225 11 0	7,397 1 0	
„ Fyzabad	194	90,050	464·16	26,896 13 0	...	26,896 13 0	2,975 4 0	13,822 6 9	2,015 11 5	504 3 0	19,317 9 2	7,579 3 10	
„ Rae Bareli	161	68,089	486·35	22,582 3 0	...	22,582 3 0	8,202 0 6	11,726 8 4	1,739 0 7	353 12 2	16,621 5 7	5,960 13 5	
Total ...	670	3,06,580	457·58	96,808 12 0	25 2 0	96,833 14 0	12,132 9 10	48,107 1 7	6,861 14 7	1,196 8 2	68,298 2 2	28,535 11 10	
Small Cause Court, City Lucknow ...	57	22,907	401	6,030 7 0	...	6,030 7 0	1,233 3 7	3,937 11 2	620 8 0	25 0 0	5,816 6 9	214 0 3	
„ Cantonment, Lucknow ...	2	1,491	745	384 0 0	...	384 0 0	144 0 0	120 0 0	31 10 8	...	295 10 8	88 5 4	
„ „ Fyzabad ...	1	398	398	64 4 0	...	64 4 0	...	72 0 0	8 10 2	3 2 0	83 12 2	—19 8 2	
Total ...	60	24,796	413·26	6,478 11 0	...	6,478 11 0	1,377 3 7	4,129 11 2	660 12 10	28 2 0	6,195 13 7	282 13 5	
Rent.													
Deputy Commissioner, Lucknow	24	9,088	378	6,698 8 0	...	6,698 8 0	1,455 7 3	1,724 13 6	381 9 7	463 2 0	4,025 0 4	2,673 7 8	
„ Unao	32	15,759	492	4,435 12 0	...	4,435 12 0	1,416 0 0	2,361 10 2	453 1 0	34 2 0	4,264 13 2	170 14 10	
„ Bara Banki ...	26	14,805	569	5,280 6 8	...	5,280 6 8	1,166 13 0	1,879 15 10	365 9 10	...	3,412 6 8	1,868 0 0	
„ Sitapur	12	3,625	302 06	2,198 12 0	...	2,198 12 0	1,356 0 0	864 0 0	266 6 5	7 11 0	2,494 1 5	—295 5 5	
„ Hardoi	29	14,118	486·82	3,701 11 0	2 13 0	3,704 8 0	1,416 0 0	2,011 12 7	411 5 4	...	3,839 1 11	—134 9 11	
„ Kheri	11	4,359	386·09	2,212 14 0	...	2,212 14 0	480 0 0	820 11 10	156 1 5	6 0 0	1,462 13 3	750 0 9	
„ Fyzabad	56	32,808	585·8	8,305 12 0	...	8,305 12 0	1,596 0 0	3,998 8 0	671 5 4	...	6,265 13 4	2,039 14 8	
„ Bahraich	21	12,585	599 28	3,676 0 0	...	3,676 0 0	1,032 0 0	1,497 7 3	303 8 5	...	2,832 15 8	843 0 4	
„ Gonda	47	23,989	510·40	5,627 4 0	...	5,627 4 0	852 0 0	3,311 13 9	499 10 5	...	4,663 8 2	963 11 10	
„ Rae Bareli	28	11,973	427·17	4,301 2 0	...	4,301 2 0	745 0 0	1,931 10 10	321 3 2	12 0 0	3,009 14 0	1,291 4 0	
„ Sultánpur	45	24,706	549	6,941 5 0	...	6,941 5 0	576 0 0	3,210 10 8	454 6 4	...	4,241 1 0	2,700 4 0	
„ Partábgarh	31	16,198	522·51	4,198 9 0	...	4,198 9 0	428 0 0	2,183 2 4	313 6 3	...	2,924 8 7	1,274 0 5	
Total ...	362	1,84,013	508·32	57,577 15 8	2 13 0	57,580 12 8	12,519 4 3	25,796 4 9	4,597 9 6	522 15 0	43,436 1 6	14,144 11 2	

PROVINCIAL RETURN No. XVIII (Civil and Rent).

Statement showing Receipts and Disbursements on account of Sale Commission Fund in the districts of the Province of Oudh, during the year 1890.

	Receipts.	Disbursements.			Balance.	Payable to názirs, &c., under para. 15, Circular No. 24 of 1872.	Remarks.
	Value of fees received within the year.	Pay of peons.	Contingencies.	Total.			
	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	
Civil.							
Lucknow	3,556 0 7	487 9 10	149 1 0	636 10 10	2,919 5 9	729 13 4	
Sitapur	2,039 1 9	229 14 10	...	229 14 10	1,809 2 11	452 4 6	
Fyzabad	3,712 14 10	520 3 5	1 7 6	530 10 11	3,182 3 11	795 8 10	
Rae Bareli	1,946 3 2	639 12 5	...	639 12 5	1,306 6 9	326 9 8	
Total ...	11,254 4 4	1,886 8 6	150 8 6	2,037 1 0	9,217 3 4	2,304 4 4	
Small Cause Courts.							
Lucknow City Small Cause Court	254 3 3	142 0 6	...	142 0 6	112 2 9	28 0 8	
Lucknow Cantonment Small Cause Court ...	22 0 1	...	...	...	22 0 1	5 8 0	
Fyzabad Cantonment Small Cause Court ...	0 15 6	...	...	...	0 15 6	0 3 10	
Total ...	277 2 10	142 0 6	...	142 0 6	135 2 4	33 12 6	
Rent.							
Lucknow	330 14 0	...	...	...	330 14 0	82 11 6	
Unao	370 0 10	...	...	...	370 0 10	92 8 0	
Bara Banki	93 6 6	...	...	...	93 6 6	23 5 7	
Sitapur	102 1 8	72 0 0	...	72 0 0	30 1 8	7 8 5	
Hardoi	1,074 15 9	...	...	...	1,074 15 9	268 11 11	
Kheri	2,261 2 0	16 7 2	2 0 0	18 7 2	2,242 10 10	560 10 8	
Fyzabad	817 4 8	288 0 0	...	288 0 0	529 4 3	132 5 0	
Bahraich	665 1 10	...	...	...	665 1 10	166 4 5	
Gonda	777 2 7	...	...	...	777 2 7	194 4 6	
Rae Bareli	649 4 6	...	...	...	649 4 6	162 5 1	
Sultánpur	606 9 6	171 4 8	...	171 4 8	435 4 10	108 13 2	
Partábgarh	670 10 0	72 0 0	...	72 0 0	598 10 0	149 10 6	
Total ...	8,418 9 5	619 11 10	2 0 0	621 11 10	7,796 13 7	1,849 2 9	

ORDERS OF GOVERNMENT.

BENGAL SECRETARIAT LIBRARY.

No. 969 / VII—428B of 1891.

FROM

THE SECRETARY TO GOVERNMENT,

N.-W. PROVINCES AND OUDH,

To

THE JUDICIAL COMMISSIONER OF OUDH.

DATED ALLAHABAD, THE 4TH DECEMBER 1891.

SIR,

JUDICIAL DEPT. (CIVIL).

I AM directed to acknowledge the receipt, in manuscript, on the 14th November 1891, of your letter No. 2185, dated 7th idem, being the report on the Administration of Civil Justice in Oudh during the year 1890. It is two months later than last year's report, which itself was very late, and one of the reasons given for the delay, *viz.*, that the office establishment is too weak to carry on the business of the Court, cannot be accepted as altogether satisfactory, as it should have been possible to arrange that the statistical clerk should compile the statements before being employed on other than his legitimate duties.

2. The statistics as to the institution of suits during 1890 are compared in the following table with those for 1889 :—

	SUITS FOR MONEY OR MOVEABLE PROPERTY.				SUITS RELATING TO TITLE, &C.				*Total number of suits.*	
	On contract.		*Others.*		*Immoveable property.*		*Others.*			
	1889.	1890.	1889.	1890.	1889.	1890.	1889.	1890.	1889.	1890.
Unpaid tribunals	1,614	1,518	1,449	1,174	43	32	45	20	3,151	2,744
Paid subordinate tribunals ...	17,501	17,074	8,831	7,911	6,302	5,183	2,222	1,993	34,856	32,161
Small Cause Courts	14,737	14,635	10,138	10,423	...	...	...	...	24,875	25,058
District Courts	14	25	15	3	72	85	40	27	141	140
Total ...	33,866	33,252	20,433	19,511	6,417	5,300	2,307	2,040	63,023	60,103
Percentage to total ...	53	55	32	32	10	8	5	5	...	...

There was a decrease of 2,920, or over 4 per cent., in the number of cases instituted, which is the lowest recorded since 1886, when the total was 55,568. The falling off occurred in all districts except Bahraich. It was confined entirely to litigation in the ordinary Courts, Small Cause Court suits rising in number by 183, in accordance with the tendency, which has been uninterrupted since 1886, of suitors to make a greater use of this class of tribunal. In 1886 the percentage of suits instituted in Small Cause Courts to the total number instituted was 32, while by

1890 it had risen to 41. A marked feature of the year's returns is the falling off in the number of suits relating to immoveable property, from 6,417 to 5,300, the lowest number since 1884. The reasons advanced in paragraph 9 of the report to account for this, *viz.*, the prevalence of scarcity and epidemic disease, could perhaps have been advanced with equal force to explain a decrease in any other kind of suits. Another point, noticed in paragraph 10 of the report, which might have been explained by District Judges, is the diminution of suits instituted in the Courts of Honorary Munsifs; only 2,744 such suits were preferred, a number which has been exceeded in every year since 1879. In the Fyzabad District 4,632 suits were filed as compared with 5,400 in 1889, a falling off of 14 per cent. Turning to the statistics of the values of suits instituted, it appears that an unusual number of suits were filed in which the value at stake was large, so that the total value at stake rose from Rs. 85,00,984 to Rs. 1,14,74,438, the highest since 1883, and the value per suit from Rs. 134 to Rs. 190. The figures are as follows :—

	Number of suits in value below Rs. 50.	Total number of suits.	*Percentage below Rs. 50 in value.*		*Value per suit.*		Total value, Oudh.
			N.-W. P.	Oudh.	N.-W. P.	Oudh.	
					Rs.	Rs.	Rs.
1889 ...	47,314	62,978	52	75	296	134	85,00,984
1890 ...	44,737	60,103	52	74	295	190	1,14,74,438

3. The following table shows the number of original suits for disposal, the number pending and the duration of those disposed of for the various classes of Courts :—

	No. of suits.				Duration of suits.					
	For disposal.		*Pending.*		*Contested.*		*Uncontested.*		*North-Western Provinces, 1890.*	
	1889.	1890.	1889.	1890.	1889.	1890.	1889.	1890.	Contested.	Uncontested.
Unpaid tribunals ...	3,652	3,149	321	254	85	45	54	49	16	29
Paid subordinate tribunals.	34,140	31,146	3,701	3,044	77	67	38	35	78	40
Small Cause Courts ...	27,497	27,067	2,249	2,960	58	41	37	36	45	40
District Courts ...	8,099	7,914	2,244	2,224	129	139	74	79	176	81
Chief Courts of Districts,	236	277	133	170	361	357	124	140	149	437
Total ...	73,624	70,053	8,648	8,622	71	73	38	41	84	42

It is satisfactory to observe the diminution in the duration of contested suits in the Courts of Honorary Munsifs and Munsifs. At the Judge's Court in Lucknow heavy criminal work and a lengthy civil case interfered with the prompt disposal of business, while at Fyzabad several suits remained undecided pending an appeal, the

decision in which applied to all of them. But both in the average duration of contested suits and in the number disposed of, the chief Courts of districts ought to be susceptible of improvement. Besides the ordinary suits treated of above, the Courts disposed of 9,226 miscellaneous suits out of 10,388, as compared with 8,896 out of 9,700 in 1889. This class of work has been increasing in quantity since 1887, while ordinary suits have diminished.

4. In the subjoined statement is shown the manner in which the various classes of Courts disposed of the suits before them :—

	Suits disposed of—								*Percentage to total number of suits decided of suits determined—*							
	Without trial.		Without contest.		By arbitration.		With contest.		Without trial.		Without contest.		With contest.		By arbitration.	
	1889.	1890.	1889.	1890.	1889.	1890.	1889.	1890.	1889.	1890.	1889.	1890.	1889.	1890.	1889.	1890.
Unpaid tribunals ...	859	755	1,736	1,481	30	26	706	633	26	27	52	51	21	21	1	1
Paid sub-divisional tribunals.	6,161	5,615	11,767	11,460	152	91	12,359	10,936	22	22	38	40	40	38	...	...
Small Cause Courts.	4,686	4,673	13,459	12,523	29	33	6,874	7,408	20	20	53	50	27	30	...	...
District Courts ...	1,199	1,077	1,660	1,803	47	55	2,949	2,755	21	20	28	31	50	48	1	1
Chief Courts of districts.	18	15	12	14	...	1	73	77	16	14	11	13	70	72	...	1
Total ...	13,123	12,135	28,634	27,281	258	206	22,961	21,809	21	21	44	44	35	35	...	...

The percentage of suits dismissed without trial is, as was observed in the review of the report for last year, considerably higher than in the North-Western Provinces, where it is 14; but as might have been expected, fewer suits are decided with contest in Courts of unpaid tribunals and Small Cause Courts than in the other Courts. Disposals are less in number than in 1889, following the decrease in institutions.

5. The appellate work of the Oudh Courts compares with that for 1889 as follows :—

	Determined without hearing.		Upheld.		Modified or reversed.		Pending.		Total.	
	1889.	1890.	1889.	1890.	1889.	1890.	1889.	1890.	1889.	1890.
First Appellate Courts ...	80	67	1,109	752	610	424	193	248	1,992	1,491
Chief Courts of Districts ...	195	202	1,190	942	718	599	728	897	2,831	2,640
Total ...	275	269	2,299	1,694	1,328	1,023	921	1,145	4,823	4,131
Percentages to total minus pending of appeals—										
In First Appellate Courts ...	5	6	61	60	34	34	...	...	...	...
„ Chief Courts of Districts ...	10	12	56	54	34	34	...	...	...	...
Total ...	7	10	59	56	34	34	...	...	...	...

The number of appeals for disposal declined by about 14 per cent. In both classes of Courts the percentage of appeals which resulted in a modification of the original sentence is the same, what slight variation there is being in the number determined without hearing and upheld. It appears from the following figures that the proportion of appeals diminished somewhat in Oudh during the year of review, while it remained the same in the North-Western Provinces:—

	Original suits disposed of.		*First appeals filed.*		*Percentage.*	
	N.-W. P.	Oudh.	N.-W. P.	Oudh.	N.-W. P.	Oudh.
1889	96,061	64,976	15,445	4,823	16·	7·4
1890	95,557	61,431	15,648	4,131	16·	6·7

The duration of appeals was 70 days in the Courts of Sub-Judges as compared with 64 in 1889; but in those of Judges it decreased from 139 to 126 days. Three hundred and five miscellaneous appeals were disposed of against 483 in 1889, and the pending file increased from 57 to 92. In Sub-Judges' Courts the duration of such appeals fell from 55 to 47 days, but in Judges' Courts it rose from 65 to 81.

6. *Execution of decrees.*—The following figures give the results of the year's work in the various classes of Courts:—

	Satisfied wholly or partly.		*Infructuous.*		*Pending.*		*Total.*		*Percentage to applications disposed of which were infructuous.*	
	1889.	1890.	1889.	1890.	1889.	1890.	1889.	1890.	1889.	1890.
Unpaid tribunals ...	573	546	415	374	127	111	1,115	1,031	42	40
Paid sub-divisional tribunals.	9,974	9,479	8,108	8,598	3,105	3,053	21,187	21,130	44	47
Small Cause Courts ...	6,314	6,043	5,989	7,450	1,031	1,494	13,334	14,987	48	55
District Courts ...	3,036	2,903	2,253	2,528	1,487	1,561	6,776	6,992	42	46
Chief Courts of Districts ...	136	142	130	141	132	161	398	444	49	50
Total ...	20,033	19,113	16,895	19,091	5,882	6,380	42,810	44,584	45	49

It is evident that increased difficulty is experienced in executing decrees, which extends to all classes of Courts except the unpaid Courts; within the last five years the percentage of infructuous applications has risen from 41 to 49. It may, however, be inferred from the increase in the number of applications which has occurred within the same period that the people have not lost confidence in the efficiency of the Courts. The figures are given below:—

	No. of original suits disposed of.	*No. of applications for execution.*	*Percentage of applications.*
1887	61,123	35,978	58
1888	64,774	39,973	61
1889	64,976	42,810	65
1890	61,431	44,584	72

Of the total amount realized, only Rs. 1,16,099, or 8 per cent., was realized without issue of process,

The number of witnesses examined declined from 57,456 to 53,684 in ordinary Courts and rose from 3,120 to 3,686 in Small Cause Courts.

7. *Rent litigation.*—In the subjoined table the figures for rent suits instituted are compared with those for 1889:—

	1889.	1890.
Unpaid tribunals	575	95
Paid sub-divisional tribunals	32,032	32,073
District Courts	7	8
Total ...	32,614	32,176
Total value, Rs.	10,98,113	11,76,903
Value per suit, Rs.	33	36

The steady increase in work, which has been going on since 1887, has received a check, and there is a marked falling off in the unpaid Courts. The value of suits had been constant during the three previous years. Last year no district showed a decrease in institutions; this year there is a considerable decrease in five districts, ranging from 24 per cent. in Kheri to 14 in Fyzabad. On the other hand, the districts of Bahraich and Sultánpur show substantial increases of 39 and 11 per cent. The increase in Bahraich is explained by temporary friction between the tenants and lessees of the Rája of Nánpára, which subsided on the Rája's intervention. In Sultánpur the same explanation is given as last year: *viz.*, the increased facilities given to suitors to bring their suits in the Tahsíldárs' Courts. A good harvest is assigned as the cause of the decrease of litigation in Kheri.

8. The figures showing the regular and miscellaneous suits for disposal, and pending, in the different classes of Courts are given below:—

	Regular suits.				Miscellaneous suits.			
	For disposal.		*Pending.*		*For disposal.*		*Pending.*	
	1889.	1890.	1889.	1890.	1889.	1890.	1889.	1890.
Unpaid tribunals ...	617	106	48	4	21	2	2	...
Paid sub-divisional tribunals,	14,672	15,028	282	174	7,081	8,577	618	346
Other subordinate Courts ...	20,551	21,588	3,202	2,589	3,492	4,597	114	78
District Courts	10	10	1	...	1,266	2,027	19	14
Total ..	35,850	36,732	3,533	2,767	12,760	15,203	753	438

It is satisfactory to observe that in both classes of suits the pending file shows a substantial diminution notwithstanding the increase of work for disposal which has been constant since 1887 when the new Rent Act came into force. The increase in miscellaneous cases has been very marked, the numbers rising from 5,702 in 1887 to 15,203 in the past year. It has been most marked in the Courts of Tahsíldárs and Deputy Commissioners, being from 2,306 to 8,577 in the former and

from 187 to 2,027 in the latter. The increase seems to be due to a growing tendency to use eviction and distraint as a means of realizing rent.

Details of the disposal of rent suits are given below : —

	Regular.		*Miscellaneous.*	
	1889.	1890.	1889.	1890.
Without trial	4,194	4,024	848	849
Without contest	14,038	14,834	6,887	8,177
By arbitration	19	20	...	...
Contested	14,066	15,087	4,272	5,739
Total	32,317	33,965	12,007	14,765
Duration in days.				
Contested	31	32	24	22
Uncontested	21	21	13	17
Percentage to total of suits decided—				
Without trial	14	13	...	...
Without contest	43	43	...	...
By arbitration	...	...	...	...
Contested	43	44	...	...

Except that the amount of work increases, there is little variation on the figures of 1889. There is however a considerable increase in the duration of regular contested suits in the Courts of Tahsíldárs from 17 (which however was unusually low) to 27 days; in District Courts the duration of the same class of suits decreases from 111 to 62, and this figure, as was noticed last year, discloses curious variations, due, no doubt, to the small number of cases decided in such Courts, having been in the last four years 200, 26, 111 and 62.

9. The following table compares the figures for rent appellate work in the two classes of Courts with those for 1889 :—

	Regular.										*Miscellaneous.*									
	Disposed of without trial.		Confirmed.		Not upheld.		Pending.		Total.		Disposed o without trial.		Confirmed.		Not upheld		Pending.		Total.	
	1889.	1890.	1889.	1890.	1889.	1890.	1889.	1890.	1889.	1890.	1889.	1890.	1889.	1890.	1889.	1890.	1889	1890.	1889.	1890.
Collectors' Courts.	51	53	658	630	374	299	65	45	1,148	1,027	6	7	53	52	32	56	6	9	97	124
Commissioners' Courts.	136	107	911	965	625	617	456	590	2,128	2.279	7	5	28	59	23	18	14	27	72	109
Total ...	187	160	1,569	1,595	999	916	521	635	3,276	3,306	13	12	81	111	55	74	20	36	169	233

The proportion of appeals in which the finding of the lower Court was not upheld was slightly lower than in 1889, being 30 per cent.

as compared with 34. In the Courts of both Collectors and Commissioners there was a considerable decrease in the time taken in deciding an appeal, which was 51 days as compared with 83 in 1889 in the former, and 82 as against 95 in the latter Court. There was a marked increase in the cases pending in the Courts of Commissioners.

10. The figures for the execution of rent decrees are as follows:—

	Applications for execution.						Total.		Percentage of infructuous applications to total disposed of.	
	Infructuous.		Satisfied wholly or in part.		Pending.					
	1889.	1890.	1889.	1890.	1889.	1890.	1889.	1890.	1889.	1890.
Unpaid tribunals ...	50	11	120	23	14	5	184	39	29	32
Subordinate paid tribunals.	1,825	2,280	4,394	5,050	353	351	6,572	7,701	29	31
District Courts ...	2,632	3,333	5,286	5,621	937	989	8,855	9,973	33	37
Chief Courts ...	5	8	10	8	...	1	15	17	33	50
Total ...	4,512	5,632	9,810	10,702	1,304	1,346	15,626	17,730	31	34

The work for disposal increased by over 2,000 cases, and it is therefore satisfactory to find an increase in the pending file of only 42 cases. All Courts shared in the increase in the proportion of applications which proved infructuous.

Eighteen thousand four hundred and seventy-one witnesses were examined, of whom 290 were dismissed after the first day.

11. *Financial results.*—As compared with last year the income and expenditure of the Civil Courts stands as follows :—

	Income.	*Expenditure.*	*Surplus.*
	Rs.	Rs.	Rs.
1889	6,84,125	4,72,119	2,12,006
1890	6,72,311	5,29,633	1,42,678

A great falling off in stamp revenue, as to which explanations have been called for, occurred in the Fyzabad Judgeship to which the decrease in income appears to be due. The increase in expenditure was accounted for by the appointment of the Additional Judicial Commissioner and of an additional Judge at Fyzabad. The number of processes per server varied from 302 at Sitapur to 599 in Bahraich.

12. *Judicial Commissioner's Court :—*

	Civil.				*Rent.*	
	From original decrees.		From appellate decrees.		From appellate decrees.	
	1889.	1890.	1889.	1890.	1889.	1890.
Decided. { Uncontested (including *ex parte*) ...	8	3	45	29	81	91
Decided. { Contested	48	92	180	523	144	457
Pending	100	93	547	393	279	154
Pending over three months	81	84	456	313	180	84
Duration in days	423	423	374	425	211	179

The above are the figures for ordinary appeals. The appointment of an Additional Judicial Commissioner has effected an appreciable reduction in the file of pending cases. There were 572 miscellaneous appeals and applications of which all but 89 were disposed of, the corresponding figures in 1889 having been 508 and 211. Thirty-five per cent. of ordinary civil appeals ended in a reversal or modification of the finding of the lower Court or a remand; while in 1889 the proportion was 31.

I have the honor to be,

SIR,

Your most obedient servant,

W. C. BENETT,

Secy. to Govt., N.-W. P. and Oudh.